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SRI LANKA

TAMIL EFFORTS FOR PEACEFUL SOLUTION

STATEMENTS MADE BY THE TULF DELEGATES AT THE APC IN COLOMBO 25-01-84 TO 21-12-84

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A TULF PUBLICATION

EDITOR'S NOTE :

FORWARD TO VICTORY

UNDER THE BANNER OF UNITY !

The Long drawn process of the A. P. C. negotiations has at last concluded its **''exercise in futility'**

The government is going ahead with its military solution. Plans are being implemented to **''alter the demographic pattern''** of our home lands—The decision of the TULF to **''Reject these proposals as being totally unacceptable to the Tamils''** is nothing but Logical.

The T.U.L F. appeals to all patriotic Tamils to forget the past and to rally round the banner of unity to march forward to victory for the preservation of the unity and integrity of our traditional Home Land-**Let us carry on the struggle for the liberation of our Tamil people.**

Unity is the Need of the hour-Forward to Freedor under the Unity Flag.

V. PONNAMBALAM

30-12-84

TULF Camp : No :

T. Nagar,

Madras-17.

TAMIL UNITED LIBERATION FRONT

STATEMENT BY :

Mr. A. AMIRTHALINGUM

AT THE ALL PARTY CONFERENCE

ON 19-1-84

This Conference of All Parties is the last opportunity we have of working out an acceptable solution to the problems confronting the people of the Island. I do not propose to go into distant history to justify any position that I may be taking. It suffices to say that from the dawn of history the Sinhalese & Tamils have been living in this country, have been sharing power, have been engaged in war to oust each other from power and have also ruled over seperate parts of the country for several centuries. These facts distilled from millenia of recorded history cannot be disputed by anyone. We are all today here to solve problems that have been created by the imperialist rulers. At the time the European conquerors first arrived in the Island in 1505, there were three separate kingdoms. The Portugese subjugated two of the kingdoms, one by succession and the other by waging war. The Dutch took over the territories conquered by the Portugese and the British in turn took them over in 1796. Having subjugated the kingdom of Kandy in 1815 the British unified the entire administration for their convenience in 1833. They introduced English education which resulted in the emergence of an English educated elitist class which cut across barriers of race, religion or caste. Inspired by the Independence movement in neighbouring India, this class of English educated

people started movements for freedom from British rule. When the Ceylon National Congress was formed in 1918 a Tamil — Sir Ponnambalam Arunachalam was elected President, but one has to note with pain that within six years Sir Ponnambalam Arunachalam had to break away from the Ceylon National Congress and form the Ceylon Tamil League in 1924. The differences that emerged between the Sinhala & Tamil Leaders were shown up in the debate on the Donoughmore Reforms when Sir Ponnambalam Ramanathan was constrained to remark that the reform proposals spelt the death of the minorities.

With some measure of responsible government passing into the hands of Sinhalese under the Donoughmore Reforms further conflicts surfaced. These were no doubt encouraged by the imperialist rulers for their own purposes, but the Tamil Youth under the leadership of the Jaffna Youth Congress boycotted the first election to the State Council in 1931 and demanded full independence. I am mentioning this to show that inspite of differences among their leaders, the Tamil Youth even at that time were inspired by ideals of anti-imperialist struggle for the freedom of the whole country. The formation of the Pan-Sinhala Board of Ministers in 1936 kindled fears in the minds of all minorities and they banded themselves under the leadership of Mr. G. G. Ponnambalam demanding balanced representation so that any one community may not be able to dominate the other communities put together. This was mis-represented by rabble rousers and tension between the majority and the minorities developed in the late 30s. The British rulers, in the wake of indian Independence, handed over power to the local capitalist class in return for an agreement to give them the use of the Trincomalee Naval Base and the Katunayake Airbase. The un-imaginative Soulbury Constitution that did not take into consideration the heterogenous nature of the population is responsible for the present plight of the country. Though national parties were formed, within a decade of Independence most of them were forced to adopt communal policies pandering to the lowest instincts of the majority in competition with each other. At the time of Independence it was made out that under the Soulbury Constitution out of 95 elected members 42 minority

members will be returned. Within four years of independence the whole scheme of representation, which involved weightage to the minorities, was totally distorted. The passing of the Citizenship laws which de-citizenised and dis-franchised one million Tamil workers and deprived them of the representation they had in Parliament was the first blow directed against the Tamil people. It also resulted in the majority Sinhalese people who were 68% of the population at that time capturing 80% of the representation in Parliament. The Citizenship laws also made the totality of the Tamils & Muslims in the country doubtful citizens and they are still undergoing several hardships in registering title deeds for lands, in obtaining passports and other matters, to which hardships the Sinhalese are not subjected.

Before Independence the State Council adopted a resolution in 1944 that Sinhala & Tamil should be the Official Languages of the country. You yourself moved the resolution — Your Excellency, which was amended by a motion by Mr. Nalliah which you accepted, to make both languages— Official Languages. It was on that basis that the Tamil speaking people — both Tamils & Muslims joined the government after independence. In 1955 a wave of Sinhala nationalism swept the country. Bhasa Peramunas sprung up demanding that Sinhala be made the only Official Language. The major parties — the UNP and SLFP succumed to this wave. It should be said to the credit of the Lanka Samasamaja Party and the Communist Party that they stood up for parity of status for Sinhala & Tamil. Mr. S.W.R.D, Bandaranaike who was swept to power in 1956 introduced the Sinhala Only Act in Parliament on the 5th of June. Oblivious of history even learned people now say that the violence against Tamils is the result of the demand for a separate state. They further say that the violence that we experienced in 1977, 1981 & 1983 was the reaction to the action of the Tamil militants. They seem to forget that the 5th June 1956 marked the first mob-violence against Tamils. We performed Sathyagraha on the Galle Face Green exposing ourselves to the mercies of the weather and were attacked by crowds who had been assembled for that purpose. The crowds were so infuriated at our daring to sit there on the green that

they beat up the unarmed peaceful Sathyagrahis with sticks and stones, one of them even bit away the ear of one of the Sathyagrahis. The stones thrown by the crowd broke my head in two places, and when I walked into Parliament with a handkerchief tied round my head and my clothes soaked in blood, the then Prime Minister quipped "honourable wounds of war". This violence that was unleashed on the Sathyagrahis spread to the streets of Colombo. Tamils were pulled out from cars and buses and beaten up. It spread even to places like Amparai where a number of Tamils were killed. Can anyone who values truth say that this was the result of the Tamils resorting to violence ? or because the Tamils demanded a separate state ? I can only say that it was the result of deep seated antagonism between the two ethnic groups which had been incalculated into their minds through the history that was taught in our schools.

The introduction of Sinhala as the only Official Language and reduction of Tamil to an inferior position placed the stamp of perpetual inferiority on Tamils and Muslims who spoke the Tamil Language. It also resulted in their being denied equality of opportunity in employment. This law gave rise to the first demand for a separate state. The father of this demand was no less a person than Mr. C. Sunderalingam who was a close associate & advisor of Mr. D. S. Sennanayake in the pre-independence era. But we who were members of the Federal Party and the All Ceylon Tamil Congress resisted the demand for a separate state. We wanted to preserve the unity & integrity of the island. My late leader — Mr. S. J. V. Chelvanayagam felt that the unity has to be on the basis of the recognition of the separate identity of the two nations, He put forward the demand for a Federal form of Government. No one who understands the federal systems of governments will say that federalism means division. The most powerful nations of the world — the USA & USSR have federal structures. Their unity or strength is not affected by the political structure. Little Switzerland — which is 3/5th the size of Sri Lanka has a federal structure. No less a person than Mr. S.W.R.D. Bandaranaike advocated federalism as the only feasible system of government in Ceylon in 1926. The Kandy Youth League demanded federalism before the Donoughmore Commission, but when the Tamil people demanded the recognition of their autonomy and the federal system of government it was mis-represented to the Sinhalese people, by politicians who should have known better, as a movement for division.

The demand for regional autonomy and the safeguarding of the Tamil homelands became imperative in the context of planned and systematic colonisation of parts of the Eastern Province with Sinhalese people which was started in the 50s. Allai & Kantalai schemes in Trincomalee, the Galoya scheme in the present Amparai District and later the Morawewa & Padaviya schemes in Trincomalee are examples of this policy. The colonisation was carried out in violation of the Land Development Ordinance. The Muslims who were the majority in the Galoya development area and the Tamils in Kantalai & Allai and other areas in Trincomalee were made minorities in those areas. We listened two days ago to Rev, members of the Buddhist clergy speak on the necessity for free movement of people. I want to ask the reverend priests what freedom of movement do the Tamil people have in this country. The only freedom they have is to be moved by ships from refugee camps in the South to the North & East.

Ven Madihe Pannaseela Mahanayakka Thero referred to 276 Buddhist places of worship scattered over the Northern & Eastern Provinces and he said that Buddhist Priests should be settled in each of these places and Buddhist people settled around these temples.

In this connection I wish to refer to a news report that appeared in the 'Silumina' on the 1st of January 1984. No less than a person than the Commissioner of Archeology — Mr. Sirisoma has stated that 200 sites in the North & East referred to by the reverend priests have been excavated and Buddhist people are to be settled in those places. If this were to be carried out the Tamils and Muslims will be made minorities even in the Northern & Eastern Provinces and the next time they are beaten and herded into refugee camps there will be no place where they can be taken and dumped. Even the Tamils in the Northern & Eastern Provinces will have to be in refugee camps, as happened

in parts of Trincomalee and Amparai during the recent ethnic violence.

According to the 1921 census the Sinhalese were 3% of the population in the Trincomalee District and 4.5% of the population in the combined Batticaloa & Amparai Districts. They were less than 4% in the whole Eastern Province. The ven Priests and others have tried to make out that even the Northern & Eastern Provinces were peopled by Sinhalese several centuries ago. They referred to the presence of Buddhist ruins as proof of this fact. They forget that the whole of Tamil Nadu and the majority of the Tamil people were Buddhists in the 3rd & 4th centuries AD. The well known Tamil epic-MANIMEKALAI and several other Tamil Literary works of this period bear ample testimony to this fact.

These places in the North & the East were placed worshipped by Tamil Buddhists. The claims that are being made to even the Northern & Eastern Provinces as Sinhala territory are on a par with the claims of the Jews in Palastine. Successive Governments have pursued the same policies as the Jews are pursuing in Palestine in dispossessing the Arabs of their land and driving them from their homes. The Tamils & Muslims of the Northern & Eastern Provinces do not want this fate to overtake them. That is why the demand for autonomy under a Federal Union was put forward.

We wanted to safeguard our rights while preserving the unity of the country and we agitated by peaceful, non-violence means for the achievement of these objectives. The answer we got was rioting, burning and killing of Tamils. A Hindu Priest was burnt alive in Panadura in 1958. Hundreds were killed, thousands were shipped to the North & East as refugees. I am not referring to what happened in 1983. I am yet in 1958.

There were four demands that were put forward on behalf of the Tamil people by the Federal Party in 1956 :

1. The introduction of a Federal form of Government.
2. Parity of status for the Tamil Language with Sinhala.

3. The cessation of state-aided colonisation of Tamil areas with Sinhalese.
4. The grant of citizenship rights for all Tamils who have made this country their home.

When we started a peaceful agitation for these demands the late Prime Minister — Mr. S.W.R.D. Bandaranaike negotiated a pact with our leader — Mr. S. J. V. Chelvanayakam. He agreed to establish Regional Councils — the Northern Province to form one regional area, whilst the Eastern Province was to be divided into two or more regional areas and provision to be made in the bill to allow two or three areas to amalgamate even beyond provincial limits. It was also agreed in the matter of colonisation schemes, the power of the Regional Councils shall include the power to select allotees to whom lands within their area of authority shall be allocated and also power to select persons to be employed to work on such schemes. It was also agreed that the language of administration of the Northern & Eastern Provinces was to be Tamil and that any necessary provision be made for the non-Tamil speaking minority in the Northern & Eastern Provinces. I don't have to repeat the history of what happened to the pact. In 1960 March, the S.L.F.P. then headed by Mr. C. P. De Silva came to an understanding with us to implement the pact. When they came to power in July 1960, they not only failed to honour their undertaking, they went to the extent of introducting the Language of the Courts Bill to make Sinhala the language of the Courts even in the Northern & Eastern Provinces. The UNP under Mr. Dudley Sennanayake, in the presence of Your Excellency, entered into a pact with Mr. Chelvanayakam in 1965. They were able to form a Government because of our support. Some Tamil Language regulations were introduced on 8th January 1966 by Your Excellency, but during the five years that the UNP ruled not one sylable of these regulations was implemented. The District Councils that were promised in the pact were only in white paper. The solemn undertaking given in regard to colonisation in the Northern & Eastern Provinces were never honoured. This is the sordid history of pacts and solemn undertakings given by successive Governments to the Tamil people. No honourable person can be happy about this record.

The introduction of the 1972 Constitution removing the safeguards against discriminatory legislation contained in the Soulbury Constitution resulted in all the Tamil Parties getting together and forming the Tamil United Front. We submitted six demands, very modest ones, for inclusion in the constitution. They were not even acknowledged. In the meantime the standardisation in education, shutting out deserving Tamil students from Universities was introduced. Employment opportunities in the Public & Semi-public Sector were denied to Tamils. On top of all these — police terrorism was unleashed on Tamils, culminating in the massacre of nine innocent Tamils at the World Tamil Research Conference on the 10th January 1974 in Jaffna. It was in this background, having failed to get their legitimate demands within a United Sri Lanka, that the Tamils on the 14th May 1976 resolved to demand the restoration of the sovereign state that they had before the European arrival and conquest of the country. This was placed before the Tamil voters in the 1977 Elections and out of 26 seats in the Northern & Eastern Provinces, the TULF won 18 seats. I may even say out of the 19 Tamil seats in the North & East the TULF was elected to 18 seats.

The UNP itself in its Election Manifesto in the 1977 Election identified a number of grievances of the Tamil people as having led to their supporting a movement for the creation of a separate state. In the statement of Government policy made by the President on the 4th August 1977 the UNP Government promised : "My Government accepts the position that there are numerous problems confronting the Tamil People. The lack of a solution to their problems has led the Tamil People to support even a movement for a separate Tamil State. In the interest of national integration and unity so necessary for the economic development of the whole country the Government feels that such problems should be solved without lose of time and will take all possible steps to remedy their grievances in such fields as :

1. Education
2. Colonisation

3. Use of the Tamil Language
4. Employment in the Public & Semi-public Corporations.

My government will summon an All Party Conference to resolve these problems and implement its decisions". It cannot be denied that these promises were never kept. The provision in the Constitution regarding the use of Tamil Language has not been implemented upto date. The position of the Tamils in employment in the public and semi-public corporations has deteriorated further. The District Development Councils which were established were never given a chance to function properly by the government. The Tamil people have been subjected to repeated racial pogroms in 1977, 1981 & 1983. Each succeeding spate of violence surpasses the previous one in its ferocity and intensity. Under these circumstances can anyone say that the Tamil people or TULF have any reason to go back on the stand they took in 1977? The position that the TULF has taken is that although their mandate in the 1977 Elections was for the liberation of the Tamil nation by the establishment of a independent state, if a satisfactory alternative which could meet the legitimate aspirations of the Tamil people and redress their grievances which gave rise to the demand for a separate state was offered, we would place it before the Party which would take a decision in consonance with the wishes of the Tamil people. One has to keep in mind the deep feeling of insecurity and alienation that is felt by the Tamil people after the latest spate of violence in June, July & August 1983 in working out an alternative. Rev. Dr. Walpola Rahula in the course of his speech two days ago appealed to me not to ask for Regional Councils, I wish to tell him that we are not asking for Regional Councils. The mandate given by the Tamil people to the TULF is to fight for a separate state. It is upto you, the leaders of the Sinhala people to offer a satisfactory alternative. As I stated we are prepared to place it before the Party and take a decision in keeping with the wishes of the people who gave us the mandate. We come to participate in this All Party Conference on the basis of the proposals contained in Annexure 'C'. That does not mean that we accept all the proposals contained in Annexure 'C'. We

feel that they will not meet all our grievances and problems of the day but we can take them as basis for discussion and improvement.

The two overriding questions requiring immediate solution are :

(a) Security of the lives & property of Tamil people; and

(b) The integrity of Tamil terrorities.

The Northern & Eastern Provinces have been traditionally recognised as Tamil speaking areas from the days of British rule. The preservation of the integrity of these areas as the homeland of the Tamil people was the basis of the agreements and pacts between the Tamil Leaders and the major Sinhala Parties in 1957, 1960 & 1965. Both the 1972 & 1978 Constitutions recognised that the Northern & Eastern Provinces formed part of a linguistic entity for purposes of administration and as the Language of the Courts. Preserving the territorial integrity of the Tamil areas in intimately linked to the security of the lives and properties of the Tamil people. After every wave of violence hundreds and thousands of Tamils have returned to these areas and sought permanent settlement there. Historically the northern & eastern provinces have been predominently populated by Tamil speaking people. In the pre-independence period, the Tamils constituted an absolute majority of every district of the Northern & Eastern Provinces. In 1921 the Sinhalese population was about 4 — 5% in the entirety of the Eastern Province. State sponsored colonisation of the Tamil areas resulted in the erosion of the territorial base of the Tamils. Our claim that the Northern & Eastern Provinces be constituted into one region is based on this premise. We have however suggested further that to meet the aspirations of the Muslims who are the largest community in the Amparai District they be given the option to decide whether they went to form part of this region or remain out of it. I wish to read parts of a memorandum dated 17th January 1984 which I have received from the President of the Amparai District Federation of the branches of the All Ceylon Muslim League. Whatever views they may have taken earlier they had met on the

15th January and taken a decision on this matter. This is what it says :

ETHNIC PROBLEMS OF MUSLIMS IN AMPARAI DISTRICT :

I am directed by the Executive Council to place before you the following unanimous decisions made at the meeting of the All Ceylon Muslim League Amparai District Federation held on Sunday the 15th instant at Muslim Maha Vidyalaya, Oluvil, for your earnest consideration and effective submission at the Round Table Conference for the settlement of Ethnic Problems in Sri Lanka.

A. We reiterate the proposals made by the All Ceylon Muslim Lsague and our Federation that Amparai District should be an Independent Unit for the devolution of power.

B. As much as our Muslim brothers in the Sinhala Speaking area have to live peacefully with the Sinhalese, we the Muslims in the Tamil Speaking area have to live peacefully with the Tamils. Ethnic Problems of the Muslims and Tamils in the Tamil Speaking area with regard to Language of administration, Land, Colonisation Irrigation, Fishing etc., are similar. Solution of these problems will be a solution for both the Tamils and Muslims in the Tamil Speaking area. Therefore, the Muslims in the Tamil Speaking area should extend our fullest, co-operation to the Government and to the Tamils in particular, to find a permanent solution to the Ethnic Problems of the Tamils and in no way the Muslims of the Tamil Speakln area should be a hinderance.

Amparai District is 1,775 square miles in extent. According to the census of 1981, the Sinhalese are eligible for 37.2% or 660 square miles but they have 76% or 1,340 square miles in the Sinhalese areas. Muslims are eligible for 41.6% or 728 square miles but we have only 263 square miles. In the Muslim areas which is only 15% of the lands in

Amparai District. However, the political Authority of the previous government and the District Minister in the present government are very keen to grab the developed and ready made paddy fields of the Muslims in Muslim areas and settle Sinhalese relatives brought from other districts. These are the illegal aided settlements of Sinhalese in Muslim areas which is over and above the 38 settelements of Sinhalese under Gal Oya Scheme 1960—63. This manoeuver has very seriously affected the economy and the political strength of the Indegenous Muslim population of Amparai District.

All land taken over from the Muslims by R. V. D. B. Sri Lanka Sugar corporation, and the Tile Factory should be returned to the Muslims with compensation. Muslims can cultivate the sugar cane required for the Factory.

All aided illegal settlements of Sinhalese other than the settlements under Gal Oya Development Project prior to 1963 should be removed out of Amparai District and settled under Mahaweli Settlement elsewhere." So much for the memorandum of the Amparai District Muslim League,

The Land mass of the Northern & Eastern Province falls entirely in the dry zone and is economically backward. If this fact allong with the absence of the infrastructure and the resources of the rest of the country is taken into consideration it would be conceded that the land area involved is not out of proportion to the population it serves.

The Reverend Priests spoke of the density of population in the various Districts. Why are the northern and eastern provinces barring Jaffna sparsely populated? It is because those areas are backward, undeveloped and have not even adequate water supply.

No prejudice is caused to the Sinhala people by the incorporation of this area into a single region.

Security of the Tamil people even in the north & east is endangered by the armed forces which act as an army in

occupation. Annexure 'C' gives power to the Regional Council for the maintenance of internal law & order in the region.

Unless the power is made effective there will be no security to the lives & property of the Tamil people even in these areas. One has to remember the words of Mr. Justice Sansoni at page 276 of his report on the violence in 1977—he says: 'the incidents that occured also show that there is a cleavage between the Sinhala & Tamil race'. Any solution will have to recognise this fundamental position.

The cleavage is even more complete after the violence of 1981 and irreversible after the latest pogroms in 1983, No amount of plastering can do away with that cleavage. Any realistic solution has to take cognisance of that fact and work out a structure taking the separatence of the two in to consideration. I would like to refer to a prophetic statement made by Dr. Colvin R. De Silva in the Course of the debate on the Sinhala Only Act in 1956. He in his characteristic way said: 'Two Languages one state; one language, two states'. He said this to draw pointed attention to the fact if one language is made the Official Language the group deprived of its Rights, that had a sense of injustice will demand separation. Any solution, unless it is founded on justice and the recognition of the integrity of 'The Tamil Nation and its Territorial integrity will never work.

Before I conclude, I have to refer to the element of violence that has entered the body politic of this country. The outbreak of insurgency in South Ceylon was the precursor to this violence. Tamil Youths who were arrested in the early 70s were locked up with youths from the South who were involved in the insurgency. The violent behaviour of the police armed forces against unarmed Tamil people provoked acts of retaliation by some of the Tamil Youths. When nine innocent people were killed by the action of the police at the World Tamil Research Conference in 1974 it was regarded as a challenge to the Tamil manhood. Even as the Jallian Wallah Bagh massacre in Punjab gave rise to the emergence of the militant youth movement. The arrest and intense

torture of youths led to retaliatory attacks against police officers responsible for this torture, events escalated in this way till we have reached the present difficult situation. It has to be mentioned that in the whole of this violence in the Tamil areas not one Sinhala civilian was harmed or killed. What happened in the South is just the opposite. The answer to this is not torture by the armed forces against youths suspected of involvement in violence and against innocent people. This will only lead to more and more youths joining the ranks of the militants. Even recently there had been serious crimes committed by the Armed Forces in areas like Vavuniya against Tamil people. What chance is there of identification and punishment of these men ? The removal of these armed forces who are acting as an army of occupation in the Tamil areas is absolutely necessary. As Your Excellency remarked in your statement in Annexure 'A-4' -(1) if these proposals are implemented one may expect violent activity or support for it to whither away. There is no other way of putting a stop to violence. I have no time to deal with the various points that emerged from the speeches of the Ven Priests and others, some of my collegues will deal with them. In conclusion I will only say whether the country is going to be plunged in further violence or not; Whether the country is going to preserve its unity or not; Whether the country is going to progress economically or not depends on the outcome of the deliberations of the Conference and I would appeal to all to work out a solution on the basis of justice and fairplay. Thank you.

SPEECH DELIVERED BY MR. SIVASITHAMBARAM, PRESIDENT T.U.L.F, AT THE ALL PARTY CONFERENCE ON 25-1-1984

Mr. President :

I was hoping that the need to speak in the All Parties Conference may not arise since I was afraid that because of the personal losses I have sustained and because of the haunting and traumatic experience of my wife and daughter, my emotions might blur that objectivity that is necessary in a Conference of this nature. But the need has arisen and I'll do my best not to go off the track or relevancy.

We heard a lot of history or what was claimed to be history during the last few days. Events of history have of course, their lessons but they may not always have relevance, as was pointed out by both the leaders of the Communist Party and the Hindu delegation. But where history is being distorted to justify a denial of the reasonable aspirations of a people, then it becomes necessary to correct those distortions.

Before I outline the main case, I wish to respond to some matters, raised by the Hon. Prime Minister. If his Speech represents Government thinking, then indeed this Conference appears to us as a futile exercise. Although he said that he keeps an open mind, the whole tenor of his Speech was that ill-fated District Development Council had the necessary frame-work

into which a solution of the vexed problem of the Tamil people can be worked out. Instantly and categorically. I wish to state that the District Development Councils cannot and will not satisfy the aspiration of our People. For thirteen long months, you, Mr. President, some of your ministers and we, of the T.U.L.F. met regularly and had long and detailed discussions to make the D.D.C's work. Our bitter experience has been that it was perfectly clear that our ideas and governments' ideas were at complete variance, as to the very conception of these Councils. Once again I emphatically state that the D.D.C's. even with additional powers, will just not satisfy our People.

The Hon. Prime Minister was heard to say that the shameful and horrible events of July — August 1983 were the result of the killing of 13 Army men on 24-07-1983. If this were so, how does he explain the attack on Tamil University students at Peradeniya and Colombo in May, 1983 ? Where does he fit in the continuous attack by Sinhalese hoodlums and Army and Navy personnel throughout the month of June 1983 in Trincomallee ? I am amazed that the Prime Minister should repeat this canard, in the face of the above and in the face of the fact that marauding gangs were on the march with electoral registers and cars of petrol in search of Tamil houses from the 25th of July itself. If the government is still repeating this lame theory then it is perfectly clear that they do not wish to face reality and have no intention of preventing such happenings in the future.

Mr. President, to revert to the main themes of my Speech, I am sorry Mr. Irriyagallee is not here but yet I have to refer to him and reply to one particular matter he raised. For this purpose, I propose to rely largely on Professor K. M. de Silva and his book — A history of 'Sri Lanka'. Professor de Silva holds the chair of Sri Lanka History at the University of Peradeniya. Fortunately he did not study his history from dusty files in some provincial Kachcheri but in some of the reputed Universities of the World.

Mr. Irriyagallee categorically stated that 'record history' — (during his Speech he often spoke of recorded history — I waited

in vain to hear where and by whom this history was recorded — I was left with the impression that it was his own brand of history, recorded by him, in his mind) never spoke of an independent Tamil Kingdom. May I now read extracts from 'recorded history' — a history recorded by a Professor — to substantiate our position that, there was indeed an independent Tamil Kingdom. I read from page 64 of his book 'By the 13th Century an independent Tamil Kingdom has been established with Jaffna peninsula as its base 'Again at page 64 he says' In the second half of the 14th — Century the fortunes of the Sinhalese reached their Nadir. True the writ of the Gampola Kings appears to have run in Ruhana as well as the western sea-board but Jaffna under the Ariya Chakaravarthies was much the most powerful kingdom in the island. As the Sinhalese power in the island declined, Tamils moved Southwest to exact tribute from the South-West and Central regions. Again at page 85 he reiterates 'By the middle of the 14th Century, Jaffna Kingdom had effective control over the north-west coast upto Puttalam 'After an invasion of 1353, part of the Four Korales came under Tamil rule. To put the position beyond any doubt, he says at pages 89 and 112 as follows : 'Jaffna successfully re-established itself as an independent kingdom under Pararajasekaram (1479-1519). The crisis of the 16th Century Which began with the decline of Kottee, culminated in the collapse of Sitawaka and with Portuguese dominance, if not control over two of the three kingdoms 'that had existed when the century began, — In Kotte Dharmapala was a mere figurehead; in Jaffna there was a protege of the Portuguese on the throne. Only the Kandyan kingdom survived'. Therefore it is abundantly clear that, at least, in the 16th Century at the time of the advent of the foreigner, there were three independent kingdoms — Kotte, Jaffna and Kandy. This is the claim made by the T.U.L.F. and this was the claim that Mr. Irriyagalle set out to demolish and which I have restored, not with my 'recorded history' but with the book of an eminent Sinhalese historian, Mr. Irriyagalle went on to argue that the foundation of our demand for a separate kingdom — namely in existence of an independent Tamil kingdom at the time the foreigner came — was

not existed and therefore the edifice must fall. Now that I have restored the foundation, will he agree to help build the edifice. He claimed to be a Kandyan,. If so, there is yet another reasons why he must help us. At page 117 of the same book it is said 'The Portuguese had found that Sangili despite assurance to the Contrary, was permitting mercenaries and supplies to move into territory held by Anti-Portuguese forces. This prompted the Portuguese to depose Sangili and take our Jaffnapatnam. Mr. de Silva, at Page 119, comments 'The annexation of Jaffna in 1619 worked to the disadvantage of the Kandyans by depriving them of a potential ally, 'Thus, Your Excellency, we lost our independence because our forefather went to the assistance of Kandyans. Will we, the descendants be wrong, if we ask the modern Kandyans to a assist us to regain our independance ?

I am sorry, Your Excellency you yourself made a wrong assessment of a relatively modern fact of history at the distribution of Diplomas at the Foreign Affairs School. Your Excellency is reported to have said 'Differences between Tamils and Sinhalese arose, 60 years ago, when Sir Ponnambalam Arunachalam, resigned from the National Congress because he was not given the Colombo seat. You will permit me to say, Sir, that this was grossly unfair by a man, who even more than Sri Ponnambalam Ramanathan, had spear-headed the movement for responsible government and pioneered to national movement in Sri Lanka. The National Congress was his brain-child and he was its first President. Such a man would never have left the organisation be helped to found merely because he was not given a seat. Indeed this cannot be true because he himself signed the nomination papers of Sir James Peris. Sir P. Arunachalam had more weighter reasons to leave the Congress. The first was that he was completely dissatisfied with the negotiations carried on by Sir James Peris and other with Governor Manning. The second is indeed more significant in the light of other similar happenings later on. In 1918, both Sir James Peris and E. J. Samarawickrema gave an undertaking in the Western Province will be reserved for Tamils. In a letter writen by these gentlemen to Sri P. Arunachalam dated 7th December 1918, they said 'We are anxious to do all that could be done to secure as large a repre-

sentation as possible to the Tamils.....We are prepared to pledge ourselves to actively support for the reservation of a seat to the Tamils in the Western Province as long as electorate remains territorial. These gentleman were not mere individuals but Presidents of the Ceylon National Association and the Ceylon Reform League, respectively on the basis of this undertaking, Sir PI persuaded the Jaffna Association to attend the Conference on Constitutional Reforms in Colombo. But alas, the promise was never kept. Of course excuses were readily trotted out. At the Congress sessions of 22nd and 23rd December 1918, Mr. H. J. C. Pereira as President of the Congress argued 'it may be that for political reasons, individual members with perfectly bound intentions, with the idea of maintaining unity have entered into certain compromises and bargains with individuals of the North. The Congress as Congress knows nothing of this we are not responsible for all this 'Mr. G.A. Wille, at the same sessions said 'A promise regarding a reserved seat for the Tamils of Colombo made by one or two prominent members the Congress out of execissive regard for the fears of men of the isolated North .....had been so distorted as to implicate the whole of Congress' Echoes of undertakings and breaches and excuses were to be heard throughout the post-independence history of this island. It was with anguish that Sir P. Arunachalam left the Congress and in doing so told the Times of Ceylon on 14th December 1921' (James) Peris and his friends have by their blunder wrecked the Congress, destroyed its power and prestige reduced it from a National Congress to one representing mainly a section of the Sinhalese, destroyed the feelings of mutual confidence and co-operation between the various communities and put back the attainment of Swaraj indefinitely. 'The liberal Sinhalese historian, Dr. K. M. de Silvas, assessment of this episode makes interesting reading—'He Sir P) was the advocate of radicalism and democratisation, the political processes which would eventually guarantee the permanent Sinhalese domination of the politics of the island, when talent, achievement and merit by themselves would be inadequate to reach the pinnacle of political leadership, if one happened to be a Tamil. (How true) Besides, Arunachalams eventual disenchantment with the Congress served to underline the fact that for many

Sinhalese responsive co-operation between the Sinhalese and Tamils presupported the essentially subordinate position by virtue merely of their numerical inferiority and that their status in a Ceylon polity could seldom be anything more than that of a junior partner. 'No Tamil could have put this better. (Most of these quotations in this part of my Speech are from two articles by Professor K. M. De Silva on the National Congress).

Leaving history aside for a little time, what is the demographic reality that exists today ? A Sinhalese nationality and a Tamil nationality speaking different languages professing, in the main, different religions, cherishing different historical memories and cultural traditions, by and large inhabiting well — defined areas is todays demographic reality. In a multinational country like ours, more counting of heads is not democracy. What then is the way out ? This is the task before this Conference.

To carry out this task, it is necessary to remove some myths and Canards. The first Canard that has gained grater currency in the recent past is the Sinhalese have only this land while the Tamils have other lands like Tamil Nadu. I wish to state with all, the emphasis possible that we the Tamils too have no other land. We have been here for as long as anybody else. Our forefathers have lived, worked and died on this soil and we of the present generation shall also live and die here. Why should we leave this land ? This land is as much ours as anybody else's. True, some of us, for reasons of sheer physical safety, had to go to Tamil Nadu. But we stayed there on Visa's, in the same way that many Sinhalese are staying in, many countries of the world. Of course we have many points of affirmity with the people of Tamil Nadu. Your Excellency, many have calimed affirmity between the Sinhalese and people of North India. I recall one of Your Minister's seeing a marked resemblence between Your Excellency's nose and the nose of the Indian Prime Minister.

The second card is that a Tamil is free to buy land in any part of Sri Lanka but the personal law of the Tamils—Thesavalamai — prevents a Sinhalese from buying land in Jaffna. This is a classic example of an ordinary law being perverted for

racila propaganda. I am happy and thankful that Mr. Sivasubramaniam has replied to this — coming from him from it carries the weight of judicial authority. This is a simple law which says that if one co-owner of co-owned property wishes to sell his share, he shall first offer the other co-owners and only if they refuse to buy can he sell it to outsiders. Is this principle something unknown ? Do we not find in the rules of many companies that a share-holder has to offer his shares to fellow share-holders before selling it to outsiders ? The point to appreciate is that this is calculated to prevent further fragmentation of the already small land — holdings in Jaffna. Further it is only a small percentage of land that is owned jointly in Jaffna today. The canard is repeated to justify some of the destructions of Tamil — owned property in Colombo and other places.

The third is the attempt to justify the scrapping of admission to the Universities on the basis of merit. In this connections Rev. Madhee Pannaseeha, high priest, cited a large number of statistics and their uses have been compared to many things Appropriately — statistics is like a lamp-post to a drunk more for support than for illuminations. The Rev. Sir gave a list of Government schools in various provinces and gave the number of Govt. School in the Northern Province as 875. Merely mentioning this would have given the impression that benevolent Governments have given such a large number of schools to the Tamils. What is the true position ? These schools became Govt. Schools only in 1961. Out of this number, not even 100 Schools were built by me and staffed by the Christian Missionaries and Hindu Philanthropists. This statistic is trotted out, in season, to deny the present generation of Tamil students their place in Universities — place gained by pure merit. Has this generation of students to suffer because our forefathers valued education, welcomed those who gave that education and stinted and starved to have good schools ? For how long are you to trot out this argument of educational backwardness of Sinhalese areas ? In 1931 Education became state education. After 52 years of education under Sinhalese Ministers, after 38 years of free education and 22 years of state education, you still speak of Sinhalese areas being backward in education. How

much longer do you need to say that you are now equal ? But, in the meantime, you deny the successive generations of Tamil students a University educations.

Your Excellency, we are always being lectured to on the theory that we are all Citizens, all equal, all brothers. If this is so, does it not follow that the only criterion for admission to Universities, among other matters, is merit. Indeed this truism has found expression in Article 26 of the Universal Declaration of Human Rights which needs 'Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit'. This has also been embodied in Article 13 of the International Covenant on Economic School and Cultural Rights to whicy Sri Lanka is a signatory. But the story of admissions to the Universities in Sri Lanka is a sordid and sorry one. It was started as early as 1964 when it was alleged that Tamil examiners were favouring Tamil students at practicals, Without any proof, they scrapped practical examinations — a case of cutting one's nose to spite one's enemy. But this did prevent larger and larger number of Tamils students entering the Universities.

Till 1969 admission to Universities was simply, on pure merit. In 1976, the number of Tamil students who gained admission to the Engineering faculty was 60%. The results were not published and the Govt. shamelessly decided that a Tamil student has to score a greater aggregate than his Sinhalese Counter-part to gain admission. The excuse given was that there would have been riots, if this adjustment had not been done. Your Excellency, if we Tamils score more marks, there would be riots. You were constrained to say that there might be riots, if a settlement is reached at this Conference. This is why we are constrained to say — 'Please leave us alone. You need not waste your energy in riots against us'—

But this gross discremination brought a blush to even those Sinhalese nationalists. So they set out to device a method to achieve the same result. They discovered medium wise standardisation and later on a combined medium — wise standardi-

sation and district quota. The effect on the admission of Tamil students to the Universities was disastrous.

A comparison of the percentages in 1969 and subsequent years brings out this dismal picture. In 1969, the percentage of Tamil students admitted to the prestigious courses of Medicine and Engineering were 50% and 48% respectively; in 1974 it fell to 27.3% and 18% in 1977 it was 28% and 19%. Professor C. R. de Silva compared the relative position of Tamil and Sinhalese students and said 'The restriction on Tamil admissions accrued to the Sinhalese. Although they were only 71.9% of the total population, they gained 75.4% of the places in Science — biased courses, 78.8% of places in Engineering and 70% of places in Medicine in 1974.

The U.N.P. in its Election Manifesto of 1977 undertook to abolish standardisation, if they came to power. The 1977 results were already out, when they assumed the reins of government. In 1978 admission reverted to merit and the percentage of Tamil students went up again — 36.6 in Medicine and 39.7 in Engineering.

But there were those same Sinhalese nationalists who did not want this to continue. At this point, Mr. Mosquitoe and the Hon. Minister of Industries & Scientific Affairs entered the area. One fine day, at adjournment time, the Hon. Minister named an answer script of a Tamil student at the G.C.E. Advanced Level examination. He said that one of the questions in the Zoology paper was to give the life cycle of the mosquitoe. Full marks were to be given, if all the stages were given and no marks, even if one stage was not mentioned. From this example he characterised Tamil examiners as cheaters and that such marks should not be the criterion for admission to the University. I know there must be something more than what appeared on the surface. I did make some investigation and I discovered that instructions remarking were amended to give some marks, not full marks, even if one stage was missed. After a few days, I replied in full to the allegations of the Hon. Minister. Some interested party has published the Hon. Ministers' speech in book form. If the purpose of the book was for the reader to come to a decision,

then they should have published my reply to the Minister. But then the purpose of the book was to promote Sinhalese students and to justify Govts. decision to go back on admission on merit. The Hon. Minister thereafter replied and produced affidavit to say that there was no amendment of instructions. Those affidavit are published but not to affidavit I produced from an examiner who said that there was an amendment. In this affidavit the examiner had also said that one Dr. Mangala de Silva, another examiner had confirmed to her that there was an amendment. The Hon. Minister submitted an affidavit from this same Dr. Mangala de Silva it makes interesting reading — He says 'Dr. Miss M. Sabaratnam (the examiner whose affidavit I produced) visited me in Peradeniya Campus sometime in early November and mentioned the matter concerning the marking of the question pertaining to the life cycle of the mosquitoe, which subsequently has been incorporated in her affidavit. At that time, my recollection was that there was an amendment to the marking of the aforesaid question IB(4) Later on he says that there was no amendment. His memory must have improved, after the Hon. Minister himself wanted counter-affidavit.

A number of interesting questions arise on this episode —(1) How did the Minister get answer scripts ? What happened to the secrecy of examinations ? (2) If there was fraud, why was no disciplinary action taken against the examiner whose identity was known to the Dept. ? Was he even questioned ? If so, what was his reply ?

When this matter was first raised in Parliament, the Tamil and Sinhalese examiners asked for an impartial public enquiry. I repeated the demand in Parliament but a change of dishonesty against Tamil examiners, a very serious reflection on a people, was repeated useam. On earlier occasions, these changes of dishonesty were investigated by responsible persons and found to be baseless. Mr. Keuneman who readed a Sectional Committee on admissions to Universities says 'Organised manupulation of marks in one whole medium in a deceptive manner is rather possible nor probable' Professor Pereira who investigated into similar allegations in 1972 found them absolutely untrue.

While these were in facts. Rev. Madile Pannaseha says in the forward to the book mentioned above, 'while Royal Commissions have accepted that a Tamil students are given undue marks by irregular methods for the purpose of enhancing merit'. I know of no such Royal admission and of no such finding.

My plea for an impartial public enquiry was not heeded. My plea that, after all, this as only part of a question and any excessive mark was an insignificant 1.25% as not answered. But the Govt. decided to scrap the scheme of admission on merit and formulated a new scheme—30% on merit, 55% on district quota and 15% for backward areas this was introduced in 1974 and percentages of Tamil admissions dropped sharply again in Engineering it dropped from 36.6 in 1978 to 30 in 1979, 29.7 in 1980 28.1 in 1931. A medicine it showed a slight increase in 1979 but dropped from 39.7 in 1978 to 22,1 in 1980, 23.1 in 1981 and 22.1 in 1983. For each district, on the basis of performance of all students, a cut-off point was marked out. For 1983, Jaffna°s cut-off point in Physical Sciences, medicine, dentistry, Bio-Science, Engineering was the highest in the island. In most ot these cases, even Colombo came second. The difference between the highest and lowest was sometimes as high as 90 marks.

The book referred to earlier is entitled 'Diabiolical Conspiracy' Yes this diabolical conspiracy against Tamil students has succeeded.

I have a few other matters to refer but I wish to give place to others. This Conference last succeed. I thought I detected a note of Conciliation in the speech of Rev. Madile Pannaseha. If this is a change from his view in the forward to the book — Sri Lanka is a Sinhalese Buddhist country although non-Sinhalese and non-Buddhists too have lived for a long time' then it is a welcome change and a change, conducive to settlement. Failure and the future staggers one's imagination — the thought is shuddering. But our people will face it resolutely.

STATEMENT MADE BY MR. R. SAMPANTHAN OF THE TAMIL UNITED LIBERATION FRONT AT THE ALL PARTY CONFERENCE ON WEDNESDAY 25TH JANUARY 1984

Reverend Sirs, Your Excellency and Fellow Delegates.

Many views have been exprssed at this Conference. I propose to deal with the question of State Land, and policies relating thereto. I also intend to make certain general observations in the course of which I shall advert to some of the views which have already been expressed. I wish to assure the various delegations that we bear no malice to anyone here. If we are candid, or forthright, you will appreciate, that to be so, is in the best interests of all concerned. I would earnestly request you to understand us in that spirit.

Land Policies encompassing subjects such as — Land use, Land Development, Land Settlement and allied matters are of the utmost importance. Land use and Land Settlement has come to be acknowledged in common parlance as — "Colonisation", in effect "State-Aided Colonisation". Colonisation has been accepted as one of the main grievances afffecting the Tamil and Muslim people in sri Lanka. The United National Party in its Election Manifesto of 1977 identified colonisation as being one amongst the several grievances that had led the Tamil people to support the demand for a separate state.

The main object of State Aided colonisation is to provide land to the landless, both agricultural and residential land. Alienation of state land in colonisation schemes, involves the expenditure of large amounts of state funds in land development, provision of irrigation facilities, various subsidies, housing, and other necessary infrastructure. In short, the state does everything for the selectees, to start a new life, as opposed to individuals who start a new life away from their homes, who have to be dependent entirely upon their personal in initiative and private capital.

Land Policies pursued hitherto in the Tamil Speaking areas have had two far reaching adverse effects ;

1. Substantial alteration in the Ethnic composition of the regions in which state land has been alienated.

2. Deprivation of land, more particularly developed land, to landless people in the region of land alienation, with all its consequent social and economic ills —

This has contributed to the growth of tension and hostilities amongst different people resulting in ethnic violence. The victims of such violence have always been the indigenous population, the Tamil people.

The whole subject of colonisation and its effects assumed sufficient importance to engage the attention of political leaders from within a few years of independence. In 1957, the then Prime Minister — the late Mr. S.W.R.D. Bandaranaike gave serious thought to this question and in an accord which he arrived at with the Federal Party which spearheaded the agitation for a solution of this vexed question, it was agreed — "that in the matter of colonisation schemes, the powers of the Regional Councils shall include the power to select allottees to whom lands within their areas of authority shall be alienated and also power to select personnel to be employed for work on such schemes". It is significant that at the time of this accord a draft Regional Council's Bill had been prepared and that the aforesaid

provisions were to be incorporated in that law. Latter in 1 965 there was further consideration of this vexed question by the then, Prime Minister — the late Mr. Dudley Sennanayake, and it was agreed that in the granting of land under colonisation schemes, the following priorities be observed in the Northern & Eastern Provinces :

a) Land in the Northern & Eastern Provinces should in the first instance be granted to landless persons in the district.

b) Secondly, to Tamil speaking people resident in the Northern & Eastern Provinces.

c) Thirdly, to other citizens of Ceylon, preference being given to Tamil residents in the rest of the Island.

Land use aud land settlement was one of the subjects assigned to Development Councils under the Development Councils' Act of 1980. It is a matter of common knowledge and past history that Development Councils were still-born.

The Hon. Prime Minister in the course of his speech referred to District Development Councils, he said that for various reasons District Development Councils did not function as expected. While District Development Councils can no longer be of any use as far as the Tamil people are concerned, in my view, the main reason why District Development Councils did not take-off, wasf that the Sinhala people in this country — the vast majority o them never really felt the need for decentralised authority such as District Development Councils provided. It was government elected by them that was in power, Ministers of Cabinet, Members of Parliament of the Government were almost entirely representatives of the Sinhala people, who were therefore able to enjoy to the fullest degree the benefits of political power — If the effective functioning of the Development Councils was necessary in the view of the Sinhala people, these institutions may have performed better. Since it was by and large only the Tamils who looked up to the District Development Councils as an institution which provided some measure of de-centralisation

and some measure of political power at the District Level the District Development Councils were not taken seriously by the Government.

Dr. Baddhuddin Mahumud dealt fully with the grievances of the Muslims and the Tamils in the matter of land in the Amparai District. He has stated that the Muslims who constitute the single largest Ethnic Group in the Amparai District (according to the 1981 census) occupy only 15% of the land while the Sinhalese who are the second largest Ethnic Group held 76% and the Tamils 9%.

In the Trincomalee District land alienation in the major irrigations schemes has been on the following basis :

a) Under the Allai Extension Scheme 65% of the land alienated had been to the Sinhalese and only 35% to the Tamil speaking people.

b) Under the Kantalai Augmentation Scheme 77% of the land alienated had been to the Sinhalese and only 23% to the Tamil speaking people.

c) Under the Morawewa or Muthalikulam Scheme the land alienated to the Sinhalese and the Tamil speaking people respectively was more or less on an equal basis, though presently through successive racial pogroms the Sinhalese have been able to achieve an advantage. Certain parts of the Morawewa or Muthalikulam Scheme have become totally un-inhabitable by Tamil people on account of the successive waves of racial violence unleashed against them.

A spokesman on behalf of the Sinhalese Associations referring to the Morawewa or Muthalikulam Scheme in the Trincomalee District, stated that persons of the middle class had been given land under this scheme and that sufficient applications for land had not been received at a particular Land Kachcheri. He cannot, perhaps, be unaware, that at the time of the closure of the Royal Naval Base in Trincomalee in the late 50s resulting in a large number of Tamils losing employ-

ment in the Royal Naval Dockyard, and the Sri Lanka Navy not being able to absorb the vast majority of such displaced persons, the late S. W. R. D. Bandaranaike — the then Prime Minister specifically agreed that such displaced persons, been if they were not peasants in the strict sense of the word, should be given land in certain parts of the Morawewa or Muthalikulam Scheme which was then being implemented, on a preferential basis, in order to compensate them for their loss of employment, the Sri Lanka Government being unable to find them alternate employment. To adduce this peculiar situation that prevailed in respect of a particular land alienation programme to buttress an otherwise insnpportable theory of lack of landlessess or absentee cultivatorship amongst a particular ethnic group, is to say the least unwarranted.

D. In the Padaviya Colonisation Scheme in that portion of the land that falls within the Trincomalee District in the Eastern Province the entirety of the land was allienated to the Sinhalese. It would be needless to say that the entirety of the land under the Padaviya Scheme that fell within the Northern Central Province was also given to the Sinhalese. Today, Tamils who held private lands and land on state permits within the Trincomalee District from long prior to the implementation of the Padaviya Colonisation Scheme, on the boundary of that scheme, are being compelled to vacate such lands.

Most of these schemes were implemented or at least commenced during the period that the Late Mr, Dudley Sennanayake was Minsiter of Agriculture & Lands, and it must be accepted that Mr. Sennanayake himself, and others who were associated with him, were in full possession of all the facts, pertaining to the proportions in which land was alienated under these various schemes at the time of the agreement in 1965 setting out the priorities in the granting of land under colonisation sahemes in the Northern & Eartern Provinces.

I wish to refer Your Excellency to a more recent instance of land alienation in the Trincomalee District after the present Government assumed power in 1977, and long after the grievance

of colonisation was identified by the United National Party in its Election Manifesto of 1977.

In the Mahadiulwewa or periyavilamkulam Scheme, in violation of all indications given during the stages of receiving represenations in respect of the Ethnic composition pertaining to that scheme the initial alienation was on the following basis :

Sinhala	—	348 allotments
Tamils	—	55 allotments and
Muslims	—	19 allotments

After renewed protests, and after reduction of the unit of alienation in respect of a part of the land to be alienated, to the disadvantage mainly of Tamils & Muslims the ultimate alienation was on the following basis :

Sinhala	—	372 allotments
Tamils	—	165 allotments
Muslims	—	38 allotments

While the first scheme of selection was to say the least palpably atrocius, the second was in flagrant violation of the ethnic composition of the District and even the ethnic composition of the Morawewa or Muthalikulam Assistant Government Agent's Division within which the land is situated. Of the 165 Tamil selectees, 32 had their houses burnt down during the June/July/August disturbances and despite efforts to get back to their allotments have not yet been able to do so. Any attempts by Tamils to defend their persons or property or resist Sinhala attacks is met with the severest repression by the Armed Forces.

In the course of the Prime Minister's statement, the Prime Minister stated that one of the reasons why District Development Councils did not function was because of contentious matters such as — land policies. Is it not the position, that District Development Councils were prevented from exercising powers

pertaining to land use and land settlement a subject entrusted to them for the reason, that if the District Development Councils exercised such powers grave injustices such as in the instance of Land alienation that I have referred to above could not have occurred' and this would have been to the disadvantage to the Sinhalese people.

Several Tamils have during racial pogroms been driven out of their lands in the Kantalai, Allai & Morewewa Schemes. Such violence has included double-murders, triple-murders and the burning of Tamil people in their houses. Tamils received neither the protection of the Law enforcement forces nor the assistance of public servants entrusted with a duties pertaining to Land. The racial pogrom of June/July/August 1983 which commenced in Trincomalee on the night of 3rd June and went on tiil August witnessed what was without doubt, a pre-planned programme skillfully executed to dislodge Tamil settlers from private holdings, from lands lawfully alienated to them an state permits, and other lands possessed by them for considerable periods of time and improved by them at great expense, the occupation of the majority of which lands, they were entitled to have regularised in keeping with government's policy and government's regulations. The occupation of lands by Sinhalese people in such circumstances, frequently many more in number, have been regularised most expeditiously.

Inter-racial colonisation scheme have proved dismal failures, far from leading to integration within the scheme itself, they have led to dis-integration in the whole country, emphasising the realities of diversity. Inter-racial colonisation scheme have proved catastrophic as far as the Tamil speaking people are concerned. There has to be new and more healthy thinking on this matter. We have become sick of the manouvres and manipulations of Sinhala public officials entrusted with land work. Such Public officials in my experience, on various pretexts have even been able to thwart directions from above. Are we not entitled Mr. Chairman in the face of these grave injustices, to appeal In the name of our people, that we be freed from these conspiracies? Are Tamil peasants, and Muslim peasants, in

most respects already, and in all respects perhaps in the not too distant future, to be at the the receiving end forever.

This Conference will I trust honestly address its mind to this matter.

The changes in the ethnic composition in the Trincomalee and Amparai Districts since the commencement of state-aided colonisation schemes have already been referred to and need not be repeated. Suffice to say, that these changes are to the grave disadvantage of the Tamil and Muslim people. The political power of the Tamils and the Muslims in the Eastern Province has been steadily eroded.

Under the Mahaweli Scheme, the total extent of land that will receive irrigation facilities in the Eastern Province will be under 100,000 acres (part of system 'B', system 'A' ? and Yanu Oya). No part of the Northern Province will receive irrigation facilities under the Mahaweli Scheme. The total extent of new land that will receive irrigation facilities under the Mahaweli Scheme throughout the whole country will be around 650,000 acres. In need hardly be asserted that no Tamil can hold any land under the Mahaweli Scheme outside the Eastern Province. The few Tamils who held lands in irrigation schemes in Sinhala areas were driven out in the 50s long before there was any talk about a separate state,

The Tamils and the Muslims constitute 25% of the country's population. The total extent of land that will receive irrigation facilities under the Mahaweli Scheme in the Eastern Province is on a percentage basis, much less — I repeat — much less, than what would be the cumulative entitlement of the Tamils and Muslims. Alienation of land under the Mahaweli Scheme in the Eastern Province, I submit has to be on this basis. No injustice whatever will be done to the Sinhalese people, they will yet receive more than their due share in the rest of the country.

The only mode of ensuring that the injustices that have been hitherto perpetrated and perpetuated in respect of land will not

continue, is to recognise the implementation of land policies even under major irrigation schemes as a Regional Function.

A new phenomenon in certain parts of the Eastern Province particularly in the Trincomalee District relates to employment opportunities in new industrial ventures. If state-aided colonisation has had a seriously adverse impact on ethnic balances in relation to the Tamils & Muslims in predominantly Tamil speaking districts this new feature of employment in a new industrial ventures is no less alarming. You are not unaware, Your Excellency, of the situation that arose in the Prima Flour Milling Complex at China Bay in Trincomalee. When you introduced the Greater Colombo Economic Commission Law in Parliament as Prime Minister before you assumed Office as President, you assured me on the floor of the House that the Tamil speaking people would be treated well in the matter of employment in this new venture. You are aware that when the factory was commissioned recruitment was in the following proportion.

Sinhala	—	74%
Tamils	—	18%
Muslims	—	8%

Though the Prima Flour Milling Complex was a private venture, this situation was engineered by some of your minions who I regret to state show a capacity to countermand even your authority when dealing with Tamil speaking people and their problems. You assured me that you would take corrective action, but that was shutting the stable door after the stead had bolted ably assisted by your own stable keepers. This only demonstrates the point. Your Excellency that the Tamil speaking people in this country can no longer be submitted to the tender mercies of these minion.

The Hon. Prime Minister spoke of 'Terrorism' by which I presume he referred to militancy amongst Tamil youth. When Tamil youth are discriminated against in the manner I have referred to above, and when dire frustration sets in amongst

them, is it surprising that they take up an attitude of not wanting to have anything to do with you. Is it surprising that they take up an attitude, where they tell you - please leave us alone, we can look after ourselves, we can never have justice from you ? If Tamil Yoth Militancy has already come into being, I forsee the day in the not too distant future when you will have to cope with Muslim Youth Militancy. You cannot suppress youth in this way. There is no purpose in talking of 'terrorism' as you describe it, in the abstract, you have to ascertain the causes which give rise to militancy, and evolve solutions to remove such causes.

The violence unleashed on the Tamil employees of Prima in June 1983 and the most disgusting manner in which the Law enforcement authorities conducted themselves in relation thereto cannot be unknown to many. The bus bringing back workers from Prima was stopped and Tamil workers were pulled out and attacked, a rare law enforcement officer arrested some persons at the scene of offence at their time of the commission of the offence. These persons were released within 24 hours; when I questioned the senior most Police Officer in the region as to how this had happened, I was told that the arrested persons had been taken before the injured victims who were then in hospital and that the victims had not identified the said people, I protested that it was grossly unfair to take the alledged assailants before the victims. When they were yet in hospital in severe pain almost immediately after the attack. When I visited the hospital and spoke to the injured persons I discovered to my horror that the alledged assailants had not been taken before them in hospital. When I confronted this same officer with this information he attempted to explain the whole thing away, by stating that what he had said to me earlier was a mistake, that the alledged assailants had in fact not been taken before the injured persons in hospital, but that the injured persons had said that they could not identify their assailants and that therefore the arrested persons had been released. I would leave it to the distinguished delegates particularly to those with legal experience to judge for themselves the situation that prevails in our part of the country.

The whole loaf of bread for the Sinhala people when it comes to employment in industries in the rest of the country, even those few Tamils who picked up the crumbs would not dare come back any longer, assuming that some of them are yet in the land of the living, and a lion share, more than the national percentage for the Sinhala people when it comes to sharing the loaf in the Tamil speaking regions — to put it most mildy — does not augur well for anybody. Authority in regard to such matters on a regional basis appears to the only rational answer.

The Tamil United Liberation Front has been branded as a communal Party.

So too, many other parties represented at this Conference. I concede that the Tamil United Liberation Front is primarily concerned with the interests of the Tamil speaking people, a situation created by the attitudes of so called national parties. Let me assure this conference however, that it is not the policy of the TULF that any injustice should be done to any section of the people, least of all the Sinhala People.

It is also necessary I think to clear certain illusions in respect of certain other political parties because such illusions can, not merely could the vision and the thinking of others, but that of even such parties themselves.

I find it difficult Your Excellency to accept a view that has been expressed at this Conference that the United National Party and the Sri Lanka Freedom Party are national parties. We are not prepared to judge you on your appearances at the surface. The question is, what in fact are these parties in pith and in substance ? When one bears in mind the policies that have been pursued in this country by successive governments which were headed by one or the other of these parties, on citizenship, language, religion, education, employment, colonisation, interracial relations, particularly in relation to the safety and security of the Tamil people. One finds it difficult, in fact impossible, to accept their posture as National Parties. It must be accepted

that they can stand correctly judged only by their performance not merely in fair whether, but also when you stand exposed, to the vagaries of the whether. Judged by these standards, I regret to conclude that neither of these main political parties in this country stand the test of being truly national parties.

I listened to all the speeches made by various Sinhala leaders over the radio shortly after the July Pogrom, you yourself, Your Excellency spoke to the nation, it is a matter for deep regret that not one of you in the course of those speeches uttered a word of grief for the Tamil people in their saddest hour.

Numerous grievances of the Tamil people have already been enumerated at this Conference, one can continue to narrate such grievances ad-nauseam.

If I may momentarily advert to the Trincomalee District to which I belong the grievances of the Tamils and Muslims are manifold and limitless. Your Excellency, is not unaware of this. There has been no end to the representations I have made to you. We do not live any longer in the realm of discrimination, injustice, inequalities, harassment or even mere suppression. Our very right to survival is at stake. I do not intend to take the time of this Conference barrating in great detail the barrowing tales of massacre and mayhem unleashed against the Tamil people in Trincomalee in June/July/August 1983. Tamils born and bred in Trincomalee along with other Tamils were not merely driven out of their homes but even out of the District. At dead of night, at the point of guns, they were captured like animals and transported from refugee camps out of the district, by the machinery of the state. Can the state explain why 600 Tamils who were refugees were subjected to such oppressive treatment on the night of 24th July 1983. On the night of 26th July 1983 around 130 Naval Personnel without any provocation whatsoever, armed with state weapons and using state vehicles went on a rampage destroying and devastating almost every Tamil Business establishment, and several houses in the Trincomalee Town. Many a Hindu Temple was attacked by these same Naval personnel. Not even the abodes of our Dieties were spared. In all over 600 Tamil properties in the Trincomalee district were reduced to ashes, in

the racial pogrom of 1983. I have sent you — Your Excellency a full report on the violence in Trincomalee. That report sets out in full the manner in which the guardians of the law, the police and the armed forces conducted themselves. Innocent Tamil people were reduced to the pitiable position of having to save themselves even from the guardian of the law.

If the attack on the Tamils in the other parts of the country was in terms of a pre-concerted plan as has been widely accepted, the attack on the Tamils in Trincomalee was master-minded, it had certain definite objectives.

In the face of all these — Your Excellency, in the face of the serious mis-givings amounting I dare say to total distrust on the part of the Tamil people, in the capacity of any government to be just by them, in the face of the growing apprehensions of the Muslims, particularly of the Eastern Province, a matter that could assume more alarming proportions in the future, the serious question, this conference has to ask itself — in my view, without irrelevantly delving into past history. Mr. Sivasithamparam — the President of my Party merely replied to certain statements made by Mr. Gamini Irriyagolla of the Sinhala Association—is whether the people have not irretrieveably come to the cross-roads, or is there yet a chance however slim it maybe ?

On behalf of those of us who have come here, despite the bitterest of memories, however unforgettable and unforgiveable they may be, to be of genuine assistance to this ALL PARTY CONFERENCE, I wish to state that the main purpose ot this Conference should not be to engage itself in meaningless voyages of imaginary discovery, but to take cognisance of hard realities. One does not need a microscope to see what is starting at one's face. If the object of this conference is to evolve a comprehensive formula within tha framework of the country's unity and integrity, nevertheless, recognising and accepting the distinct identity of the different peoples who inhabit this country, of whom one such people have been accepted from very very long ago as being preponderantly inhabiting certain geographically contiguous areas : the Northern & Eastern Provinces

together; ensuring to such people systems, to enable such people to live with selfrespect, dignity, safety, and security, realising to the fullest degree their legitimate social economic & cultural aspirations, then, indeed, this conference may have served a useful purpose.

It is unfortunate that the historian in the spokesman of the Sinhala Association who turned over all the chapters back to the dawn of this country's history; in relation to the political history of the Tamil people since independence confined himself to the Manifesto of the TULF in 1977. He is like a batsman who wants to remove the stumps and the bails at the end of his own innings. He is no longer with us and has unfortunately walked out of this conference.

It must be remembered Mr. President, that this good gentleman spoke after Mr. Amirthalingam had asserted at this Conference that the leadership of the TULF itself had opposed the demand for separation when it was first advocated. It is unfortunate he did not acknowledge this, while more importantly and significantly he did not dispute Mr. Amirthalingam's narration of the long-line of events and circumstances in the post-independence political history of this country which eventually gave rise to the birth of the demand for a separate state.

Your Excellency was pleased to remark some days ago that of the 11 seats in the Eastern Province the United National Party holds nine seats and the TULF two. Some measure of elucidation I think is necessary in respect of this observation. Of the five Predominantly Tamil Seats in the Eastern Province, Your Excellency will concede that the people elected four from the TULF at the Elections in 1977. Mr. K. W. Devanayagam's victory on behalf of the UNP in the predominantly Tamil Kalkudha Electorate by around 500 votes the lowest majority in the North & East, was UNPer's would themselves concede, in no small measure due to his own personal popularity.

The mode of acquisition by the United National Party of two other Tamil seats, rather, two Tamil members, won by the TULF at the Elections of 1977 I shall in difference to Your Excellency,

in your position as leader of the UNP refrain from re-capitulating.

The results of the District Development Council Elections at Batticaloa and Trincomalee respectively, and the two Urban Council Elections held in Trincomalee respectively, and the only Municipal Council Election held in Batticaloa since 1977, in all of which the TULF emerged victories as against the United National Party must not be forgotten.

The results of the Refrendum in December 1982 demonstrates that in two of the three districts in the Eastern Province the majority of the voters quite affirmatively decided against the extension af the term of the present members of Parliament, while in the one other District the verdict was to the contrary. In the totality of the Eastern Province taken as a whole the majority of the voters opposed extension.

It would also be pertinent for me to point out that out of the 11 seats in the Eastern Province, two seats were created as a consequence of changes in the ethnic composition resulting from the policy of state-aided colonisation. These two seats both of which returned Sinhalese members of the UNP were created the first in 1960 and the other as late as 1977. Your Excellency's computation includes the said two seats also.

There was a reference by Rev. Madiya Pannaseeha Thero to the Koneswaram Temple in Trincomalee. I am no historian, and do not wish to embroil myself in a controversy with the Rev. Priest. I wish to however quote from a respected Sri Lankan Historian, who happens to be a Sinhalese — this is what he — Dr. Paul Peiris states: "Long before the arrival of Vijaya there were in Lanka five recognised Iswaram of Siva which claimed and received the adoration of all India, these were — Tirukketiswaram near Mahathitha, Munnissawaram dominating Salawatta and the Pearl Fisheries, Tondeswaram near Mantota. Tirukkoneswaram opposite the Great-Bay of Koddiyar and Nakuleswaram near Kankesanthurai".

The quotation speaks for itself, and I accept it as conclusive —though a surfeit of further indisputable material and support of Dr. Paul Peiris is available on this matter.

The Diety — Lord Konneshar of Tirukonneshwaram is held in great veneration by all people who live in Trincomalee irrespective of whether they are Muslims, Sinhalese or Tamils, they all look upon Lord Konneshar as the Guardian Diety of Trincomalee, Seated on the cliff opposite the Great Bay of Koddiyar as stated in the quotation, which in fact represents the magnificient Harbour of Trincomalee, and the mighty ocean surrounding it, Lord Konneshar I pray, would give this conference the wisdom to ensure to the innocent Tamil people the right to LIVE with RESPECT and without FEAR NOT AS A MATTER OF MERCY, BUT AS A MATTER OF RIGHT. To this end I state with no offence to anyone — THE TAMIL NATION STANDS IRREVOCABLY COMMITTED.

STATEMENT MADE BY MR. A. AMIRTHALINGAM ON BEHALF OF THE T.U.L.F. REGARDING THE PROPOSALS FOR DEVOLUTION OF POWER CONTAINED IN THE WORKING PAPERS SUBMITTED TO THE ALL PARTY CONFERENCE — 15.3.84

In the course of my statement to the All Party Conference on the 19th of January I spelt out the position of the T.U.L.F. regarding a solution to the ethnic problem in this Island. After discussing in detail the various reasons that led the Tamil people to put forward the demand for the restoration of their separate state. I indicated the present position of the T.U.L.F .as follows :

> " Although their mandate in the 1977 elections was for the liberation of the Tamil nation by the establishment of an independent state, if a satisfactory alternative which could meet the legitimate aspirations of the Tamil people and redress the grievances which gave rise to the demand for a separate state was offered, we would place it before the party which would take a decision in consonance with the wishes of the Tamil people".

I also made it quite clear that — "the two overriding questions requiring immediate solution are :

(a) security of the lives and property of the Tamil people, and

(b) the integrity of Tamil territory" both of which are intimately connected.

Mr. M. Sivasithamparam, the President of the T.U.L.F., following the Hon. Prime Minister's speech at the plenary session on 25-1-84 made this categorical statement : "Once again I emphatically state that the D.D.C's even with additional powers will just not satisfy our people".

We fully endorse the views expressed by Mr. V. Siva Subramaniam on behalf of the Hindu Association regarding the retrograde nature of the U.N.P. proposals. They are providing for a down-graded District Council members of which are not directly elected and which will be less effective than the present D.D.C. Among other matters they do not provide for power over internal law and order to be in the hands of the State Council and therefore they fail to provide security for the lives and property of our people. So long as the unit of devolution is the District it will never be possible to preserve the integrity of the Tamil speaking territories which has been seriously endangered by the policy of state-aided Sinhala Colonisation carried out by successive governments particularly in the Eastern Province. The proposals of the Maha Sangha taking land alienation and settlement out of the purview of the District Councils cuts at the very root of the principle accepted from 1957 in the Bandaranayake — Chelvanayakam Pact, the understanding with the S.L.F.P. in 1960 and the Dudley Senanayake — Chelvanayakam Pact of 1965. This will be totally rejected by the Tamils and Muslims.

Shortly after the holocaust of June, July and August 1983, His Excellency the President sent Mr. H. W. Jayawardene as his Special Envoy to India, where he told the Prime Minister of India that "the President intended to state that he would take steps to fully implement the laws relating to D.D.C's" and take certain other steps. Mrs. Gandhi had told him "that perhaps this did not go far enough to meet the aspirations of the Tamil commu-

nity". The Special Envoy after consultations with the President told her "that the President will be prepared to have further discussions of any new proposals provided of course that the unity of Sri Lanka would not in any way be affected". It was on the basis of this statement that Mrs. Gandhi offered her good offices to enable a final decision to be reached and sent as her Special Envoy an eminent diplomat of the Calibre of Mr. G. Parthasarathy. As a result of protracted discussions over a period of four months between His Excellency the President and Mr. Parthasarathy on the one hand and Mr. Parthasarathy and members of the T.U.L.F. on the other the proposals contained in annexure 'C' emerged as "a basis formulating the Agenda of the All Party Conference". It was on this basis of the proposals contained in Annexure 'C' that the T.U.L.F. agreed to participate in the All Party Conference.

The proposals placed by the UNP before this Conference falls far short of even the District Development Councils established in 1981 and are therefore not in keeping with the statement of the President's Special Envoy to the Prime Minister of India and further have jettitioned the proposals which emerged as a result of discussions between the President and the Special Envoy of the Prime Minister of India. This situation is, to say the least, most distressing.

The President, in his speech to Parliament has quite correctly pointed out that for any solution to be acceptable to the Tamil people we should be able to satisfy them that the solution worked out is as close to a separate state as possible, of course without endangering the unity of the country. A scheme of devolution with the District or the Province as the unit can never satisfy the aspirations of the Tamil people, All provincial boundaries and must District Boundaries were demarcated by the Colonial rulers for purely administrative convenience. When we set out to solve a deep-seated ethnic problem, which has become a festering sore, causing periodic eruptions of violence and pogroms, we should be able to think in terms of higher principles. The recognition of the right of self-determination of a people, referred to in the proposals submitted by the C.W.C. is one which is also accepted by the Communist Party of Sri Lanka. The only way in which the right

of self-determination of a people can be exercised is in relation to a specific territory which is accepted as the home of a particular nationality. The idea contained in the C.W.C. proposal of granting autonomy to the Tamil speaking people in a Tamil Linguistic Region appears to be reasonable. Seventy percent of the people in this Region consisting of the Northern & Eastern Provinces are Tamils and eighty-eight percent are Tamil-speaking people, eighteen percent being Muslims. In giving certain powers to this region the question of safeguarding the cultural, economic and educational rights of the Muslims, who live in substantial numbers only in this region has to be fully considered and given effect to in the law setting up the Regional Councils. The rights of the twelve percent Sinhalese in this region will have to be safeguarded in the same way as the rights of the Tamils and Muslims in the other regions are to be safeguarded.

When we speak of the Tamil Linguistic Region it does not mean that this system is to apply only to the Northern and Eastern Provinces. The same system may be applied to the rest of the country. For devolution to be effective the unit should be larger and capable of ensuring the preservation of the integrity of the Tamil Areas. On behalf of not only the T.U.L.F., but also the All Ceylon Tamil Congress, the Ilankai Tamil Arasu Kadchi and the Hindu Organisations I wish to state that for any scheme of devolution to satisfy the aspirations of the Tamil people, and to ensure their security it should be with the Northern and Eastern Provinces forming one unit. The powers over internal law and order, administration of justice, and land use and land settlement as suggested in the C.W.C. proposals should devolve on the Regional Authority. There appears to be a wrong idea that the parameters of a solution to the ethnic problem are laid out in the proposals before the conference. The real solution has to be sought between the present system of government which has been found wanting and which has given rise to repeated ethnic violence and the demand for a separate state which has been articulated by the oppressed Tamil nation. If this background is kept in mind it will be realised that the real solution between the two extremes may be a federal form of government. But the least, if the malady afflicting the body politic is to be cured, is

regional autonomy as has been accepted in countries with similar problems.

Before I conclude may I be permitted to say that I am not speaking merely as a leader of a political party, but as one entrusted with the sacred task of discharging a trust on behalf of the long-suffering Tamil people. It is with this deep sense of responsibility that I approach the deliberations of this conference which is being closely followed by the entire international community as one which would affect forever the lives and destinies of our respective peoples. Even yesterday the U.N. Human Rights Commission adopted a resolution, which included the hope of the international community that a lasting solution would be found to the Tamil problem at this Conference. The relevant excerpts from this resolution read as follows :

> " The Commission, taking note of information voluntarily submitted by the Government of Sri Lanka, appealing to the parties to continue to take all necessary measures to strengthen and maintain peace and restore harmony among the people of Sri Lanka, welcome all measures for rehabilitation and reconciliation including the All Party Conference, and expresses hope that they will succeed in achieving a lasting solution"'

We would urge the responsible leaders of Sinhala Political Parties and the Maha Sangha to reconsider their position and adopt a more constructive and positive approach to this Conference.

STATEMENT MADE BY MR. A. AMIRTHALINGAM ON BEHALF OF THE T.U.L.F. AT THE ALL PARTY CONFERENCE MEETING ON 9TH MAY 1984

The All party Conference which started with a lot of fan-fare on the 10th January is now completing its fifth month. Far from fulfilling the hopes it raised nationally and internationally, it is now patent that attitudes on both sides of the ethnic barrier have hardened and the stage is reached when we are in the midst of an undeclared war by the armed forces of Sri Lanka against the un-armed defenceless Tamil people of the Northern & Eastern provinces. The Government has no doubt maintained an uneasy calm in the rest of the country, but sad to say, the Minister, in charge of National Security, had to virtually admit that in order to save the lives of Tamils in the South, some innocent Tamils in the North & East have to pay the price. Tamils have to die either in the South or in the North & East. Since the conference adjourned on the 20th March, no less than one hundred Tamils : men, women & children have been shot, killed, burnt and disposed of. There have been acts of violence by Tamil militants. You call them Terrorists. How many of those killed have been identified as Terrorists ? "Hardly any" is the authoritative answer. Then, whom have you killed, and why ? Has there been any judicial inquiry ? Any attempt to find the circumstances of the killing ? On whose behalf are we the delegates from the Tamil United Liberation Front, the all Ceylon Tamil Congress, and the Ilankai

Tamil Arasu Kachchi participating in this conference? It is on behalf of these people who are being killed, burnt and buried that we are sitting here and talking. We are talking here in the midst of a war that is being waged there. I want honourable delegates to be sufficiently alive to the realities of the background against which these talks are being held. I am sorry to say that there does not seem to be any realisation of the gravity of the situation or fhe urgency of working out a solution on the part of the government or the United National Party.

When his Excellency, The President, suddenly decided to postpone the conference by seven weeks, from the 20th March to 9th May, we were all taken aback. Mr. G. G. Ponnambalam and I wrote a letter to the President on 23rd March expressing our dismay at the long postponement. I think it is necessary for me to put that letter on record. (See letter annexed). The president sent me a reply, no doubt. But what action was taken? Has the Government been able to work out a consensus or at least put forward its own proposals for bridging the gap? Contrary to the understanding at the All Party Conference that the proposals of each party were to be kept confidential among the delegates, the Prime Minister announced in Parliament that the Government will not agree to anything more than District Councils. We on our part have made it clear from the outset that the D.D.C's will not satisfy the aspirations of the Tamil people. This is not any new position that we have taken. It is necessary to inform, not only this conference but the whole country, the circumstances under which and the basis on whicn we came to attend the All Party Conference.

It is well known that for several months in 1979, 1980, 1981 and in 1982 we were engaged in protracted negotiations with the government. It is sufficient to say that over 90% of the matters agreed upon were never implemented by the Government. Inspite of serious misgivings as to the usefulness of negotiating with this Government, we took note of the offer and acceptance of India's good offices and agreed to participate in the All Party Conference. We made every reasonable effort to find a political solution to the Tamil problem. We met political parties, repre-

sentatives of the Maha Sangha and other organisations who, we thought, could help in working out a satisfactory solution to the problem.

On the other hand, from the very outset, there was manouvering for political advantage on the part of the Government. The prerogative of selecting participants was used to make the All Party Conference not an All Party Conference but an amorphous grouping into which any one the President wanted could be brought in, at any stage. Irrelevant or only marginally relevant issues were allowed to be raised to could the main issue the Conference was convened to deal with : viz-the "Problems facing the Tamil Community in Sri Lanka".

All these resulted in completely relegating into oblivion all the efforts of the Prime Minister of India and her Special Envoy — Mr. G. Parthasarathi, to help the government and the T.U.L.F. to find a mutually satisfactory solution. It is a matter of great regret and despair that early in the deliberations of the All Party Conference when Rev. Dr. Rahula on behalf of the Maha Sangha rejected annexure 'C' the Chairman of the Conference, and the president of the country did not respond by stating the origin of Annexure 'C'. It has now become important and necessary for us to go back to August 1983 and trace, step by step, the unfolding of the proposals contained in Annexure 'C'.

The tragic events of June, July & August 1983 evoked universal horror and particularly, among all sections of the Indian people. In Tamil Nadu there were angry demonstrations against the atrocities committed on the Tamil people. The Prime Minister of india showed her deep anguish and serious concern by promptly sending her Foreign Minister — Mr. Narasimha Rao to Colombo. The President responded by sending his own brother as Special Emissary to New Delhi. Mr. H. W. Jayewardene assured Mrs Gandhi of the President's desire to solve this matter by implementing fully the laws relating to District Development Councils. Mrs. Gandhi told him — "that perhaps this did not go far enough to meet the

aspirations of the Tamil Community". Mr. Jayewardene appreciated this position and after consultation with colombo conveyed to Mrs. Gandhi the President's willingness to consider "any new proposals, provided of course that the unity of Sri Lanka would not in any way be effected". Mrs. Gandhi then offered her good offices to enable a final decision to be reached", and this offer was accepted by the President. To go back now to the D. D. C's, and a watered-down version at that, is a clear indication that a political solution is not in the government's pattern of thinking.

In consequence of these exchanges Mr. G. Parthasarathi came to Colombo on 25th August as "the Personal Envoy of the Prime Minister of India". He met some of us and had long discussions. Arising out of discussions with the T.U.L.F. certain points came up for consideration and Mr. Parthasarathi saw His Excellency, the President on three occasions during that visit. The President did not agree with two or three of those points but signified his agreement with the others. Mr. Parthasarathi left, hoping to continue the dialogue with the Government and with us. While agreeing to utilise the good offices of India to find a solution, the Government took certain other steps. Mr. H. W. Jayewardene went on a mission to Malaysia, Singapore, Indonesia and China. Arms were sought for from certain countries. Mr. Parthasarathi's second visit was being put off month to month. Ultimately he came in November 1983, had discussions with the President in Colombo and conveyed to us in Delhi certain proposals that had emerged in the course of these discussions. The President too came to Delhi for the Commonwealth Heads of Government Meeting and after a series of discussions between Mr. Parthasarathi and the President and his advisers on the one hand, and Mr. Parthasarathi and the members of the TULF on the other, Mr. Parthasarathi conveyed to us the proposals in Annexure 'C' as having been worked out between him and the President. Although we did not agree with all the proposals in Annexure 'C', we agreed tc attend the All Party Conference. It is unfortunate that the President should have termed these as — "T.U.L.F, Demands" in his interview with India Today of 30th April.

We agreed to come for these discussions on the basis of Annexure 'C'. We were hoping even in the face of all that was said by various groups, that the All Party Conference will come round to consider it. The C.W.C., and the Association of Hindu Organisations submitted detailed proposals on the basis of Annexure 'C'. In the course of my statement on 15th March, I indicated the position of the T.U.L.F. that we regarded the proposals of the C.W.C. as a reasonable basis for a solution, and further reiterated our position that the D.D.C's can never satisfy the aspirations of the Tamil people. Certain statements have been recently made by responsible persons that the T.U.L.F. does not represant the Tamil people. This again is a calculated attempt to prevent a negotiated settlement acceptable to the Tamil people. If, on an unanimous decision of all the political parties that met on 21st December 1983, it was decided that the T.U.L.F. should be invited to participate on behalf of the Tamil people to make any dialogue meaningful, and if our credentials are now challenged by the very person who invited us for the negotiations, it is obvious, beyond any manner of doubt that there is no intention to have a negotiated political settlement of the problem.

The jettisioning of Annexure 'C' on the basis of which we were invited to the All Party Conference, the statement of the Prime Minister in Parliament that the Government will not agree to anything more than the D.D.C., the questioning of our very credentials to participate on behalf of the Tamil people, the attempt at a military solution of the problem by unleashing a reign of terror by the armed forces in the Northern & Eastern Provinces, make us feel that this Conference, in its present direction, is an exercise in futility. If any committees are set up under these circumstances, we shall not serve on those committees. We are not seeking to run away from our responsibility by our people. But, we cannot possibly be a party to a deception of the long suffering Tamil people by holding out hope of a negotiated settlement when clearly there is no such intention on the part of the Government.

Certainly if there is a change in the direction of the Conference towards a satisfactoty solution, acceptable to our people, and the reign of terror let loose on our people is ended-we shall play our part towards the working out of a negotiated settlement.

Mr. Amirthalingum,
Hotel Empress,
Duplication Road,
Colombo - 3.

23rd March 1984

His Excellency J. R. JAYAWARDENE, Esqr.,
President,
Sri Lanka.

Your Excellency,

THE ALL PARTY CONFERENCE

We write to convey to you the deep feeling of disappointment and dismay felt by the long suffering Tamil people at the total lack of progress and unwarranted postponement for nearly two months of the All Party Conference. Contrary to indications given at the preliminary meeting in December 1983 that the Conference will meet day to day from 10th January and complete its deliberations in the ten days (thirty hours being regarded as sufficient time by Your Excellency), the Conference started drifting from the outset because no direction whatsoever was given to the discussion. It has now reached a complete deadlock and there seems to be no prospect of a satisfactory consensus between the ethnic groups. Revival of local bodies has no relevance to the solution of the crisis in ethnic relations that Sri Lanka is faced with. Even the question of the grant of citizenship to the stateless Tamils is something Your Excellency had promised in 1981 and which had been delayed for over two years.

It will be recalled that when the Conference documents Annexure 'A' & 'B' were sent along with the invitation to the first meeting of the conference the T.U.L.F. indicated that they will not attend it as Annexure 'B' had departed from the document agreed to in New Delhi in material particulars. Mr. G. Parthasarathi was invited by Your Excellency to go to Colombo to be of assistance.

It was after several meetings by him separately with Your Excellency and the Members of the TULF that the proposals that were worked out at New Delhi were issued as Annexure 'C'. You will recall that these proposals reflected the common ground between your position and that of the T.U.L.F. which would be given further consideration at the All Party Meeting. It was categorically stated that Annexure 'C' will form a basis of the agenda for the Conference and it was on that understanding we came to the Conference.

The rejection of Annexure 'C' by the Maha Sangha and the abandoning of it by the Government spelt the doom of the Conference ab initio. We continued to participate in the Conference hoping to bring it back to its bearings and set it on the right course. On the last day of the meeting of the Committees (15-3-84) we made a final appeal to go back to Annexure 'C' and the proposals of the C.W.C., pointing out that the U.N.P. proposals were a retraction of all that was held out prior to the beginning of the Conference.

The world at large and even organisations like the U.N. Human Rights Commission were made to believe that the All Party Conference was engaged in an earnest endeavour to find a lasting solution to the ethnic problems. The sudden postponement of the Conference for such a long date, with no prospect of any positive action on your part to break the deadlock, has come as a collossal let down of all the hopes that were raised nationally as well as internationally.

We feel it is our duty to impress on Your Excellency the critical nature of the situation and the need to reconvene early a genuine conference of all recognised political parties at which

we would urge that Your Excellency should give a lead and work out a solution with a due sense of urgency.

There is fear in the minds of the Tamil people that the government is launching a major offensive in the Northern and Eastern Provinces under cover of eradicating terrorism in which many innocent people are likely to become victims. We wish to reiterate that such a course of action will only aggravate the situation and further embitter ethnic relations. As Your Excellency said in your statement of 10-11-83 (Annexure 'A'—4(i)—"violent activity and support for it will wither away" once a lasting political solution to this long neglected problem is worked out. We request Your Excellency to take immediate action towards that end.

With kind regards,

Yours sincerely,
A. AMIRTHALINGAM,
Secretary-General, T.U.L.F.

G. G. PONNAMBALAM, (Jnr.)
General-Secretary, A.C.T.C.

STATEMENT MADE BY MR. A. AMIRTHALINGAM SECRETARY-GENERAL, T.U.L.F. AT THE ALL PARTY MEETING ON 1ST JUNE 1984

At the All Party Meeting held on 9-5-84 the T.U.L.F. gave expression to the grave disappointment of the Tamil people at the total lack of direction or progress of the conference and indicated that we will not be participating in the Committees which we felt were futile in the absence of a decision regarding the unit of devolution. His Excellency, the President stated that not only the reports of the Committees, but even draft legislation on matters on which there was concensus at the All Party Conference will be tabled today. We expected at least legislation regarding the grant of citizenship to stateless Tamils a matter which was promised by the President in 1981 and on which there was no difference of opinion in the All Party Conference — will be tabled. It is characteristic of the want of the will to do anything which has been the bane of this government that no action is being taken to finalise at least the citizenship question. We decided to attend the conference today in the expectation that his promise that legislation will be tabled, will be implemented and that the reports will be available for consideration.

The deprivation of the citizenship rights of the plantation Tamil workers was the first blow struck against the unity and solidarity of the Tamils immediately after independence. That was the precursor to all other discriminatary actions against the

Tamils. We urge with all vehemence we can command that if there is any desire on the part of the government to make a start in redressing the grievances of the Tamils, the removal of the blot of statelessness which is contrary even to the U.N. Charter on Human Rights and on which there has been consensus in the All Party Conference should be done without delay. The necessary legislation should be tabled and implemented immediately.

The failure of the Committee on devolution to submit its report is not unexpected. Unless you decide on the unit of devolution you cannot decide what powers to grant to the units. You are asking them to stitch the coat and then you want to look for the body which may fit the coat. Even in this matter one finds the same lethargy in taking any action. I am surprised that a Committee consisting of the same bureaucrats who have been dealing with this question of devolution for the last four years want to more time to prepare their report. While this dilly-dallying tactics go on, Tamil youths are being tortured and killed every day. As if the local experts in the art of torture are not sufficient for the purpose, rep indicate that no less than fifty Mossad Agents are already in the Island to reinforce and help in the process of working out a military solution. Why are we wasting our time travelling long distances and meeting for a few minutes to hear His Excellency announce the postponement.

Neither the general public nor the International Community can any longer be deceived that the All Party Conference is making any progress. We call upon the government to make concerted and serious efforts to work out a political solution with a due sense of urgency and not to engage in dilatory tacticsm. It should be kept in mind that solutions to questions like employment and education are not of much relevance today when the all important question is one of security of life and property of the people and a political solution which enable the Tamil people to live in safety and security and build up their economy without the dangers of state terrorism or the violence of organised gangs.

A. AMIRTHALINGAM

1st June 1984

STATEMENT MADE BY MR. A. AMIRTHALINGAM ON BEHALF OF THE T.U.L.F. AT THE ALL PARTY CONFERENCE ON 17-8-1984

Our sense of duty by our people, who overwhelmingly reposed their confidence in us in the 1977 elections, and when we continue to represent inspite of the sixth amendment which has taken away our membership of Parliament, impels us to make this statement.

We cannot sit here as if nothing has happened, when the Tamil-speaking people in the northern and eastern provinces are being harassed, mutilated and murdered by the armed forces; their children are arrested, tortured and transported like cattle by lorries with barbed wires to unknown prisons in the South, and their property is pilfered, plundered, burnt and destroyed.

The events of the last two weeks in Valvettiturai, Jaffna, Chunnakam, Vavuniya, Mannar, Adampan and Murunkan, are nothing, but a repetition of what happened in June, July and August last year. The scene is now shifted to their own homelands. People have been driven from their homes in Valvettiturai to seek shelter in school buildings. Over a hundred shops in Mannar, Adampan and Murunkan have been burnt and destroyed by the armed forces. Several houses, boutiques, boats and business places have been burnt in Valvettiturai and Adampan. Several innocent civilians who have had no association

with any militant activity have been shot down in the streets of Jaffna and Vavuniya. Under the cover of counteracting politically motivated violence the security forces are engaged in a war against the unarmed defenceless civilian population in these areas. The Government through its controlled media is seeking to trumpet every civilian casualty as a measure of its success in the eradication of the so-called "terrorism".

The Government and the security apparatus of the State may deceive themselves, but neither the people of this country, nor the international community are deceived. These events have outraged the conscience of the international community. We have in a letter to Your Excellency today detailed some of the more glaring atrocities. I table a copy of that letter for the information of the delegates to this Conference.

We cannot, in this climate of repression, when the Government is unable or willing to stop its indisciplined forces from committing attacks on persons and property of innocent civilians, sit around this and pretend that all is well in the Tamil-speaking areas.

Our views on the proposed second chamber will be stated later.

For the reasons that I have stated, as a token of our protest at the atrocities by the armed forces against our people, we shall withdraw and not participate any further in today's proceedings of the All Party Conference.

A. AMIRTHALINGAM
Secretary-General, TULF

STATEMENT MADE BY MR. AMIRTHALINGAM, SECRETARY-GENERAL, T.U.L.F. AT THE MEETING OF LEADERS OF THE A.P.C. DELEGATIONS ON TUESDAY 21-8-84

At the plenary meeting of the All-Party Conference held on 1-6-84 we "called upon the Government to make concerted and serious efforts to work out a political solution with a due sense of urgency". The problem for which a political solution has to be worked out, is the ethnic problem — the problem of the Tamil people in this country. It is for this purpose that the All Party Conference was summoned in the wake of the large-scale violence unleashed on the Tamil people which horrified the world. Though more than one year has elapsed since those grim days, not even the slightest move has been made towards healing the wounds. On the contrary, we are witnesses to continuous acts of terrorism by the armed forces against unoffending Tamils in their own areas. Even yesterday, two farmers in Kilinochchi were kilied, and a third wounded, while they were working their fields. As is to be expected, it is announced by the State media that terrorists fired shots at the armed forces which did not hit anybody, and the army shot and killed two.

Last night two Tamil shops were burnt down in Maliban Street. It is said to have been caused by a short-circuit of electricity. How can there be a short-circuit when the main switch was off ? One wonders whether mopping up operations to finish off what may have escaped last year, are taking place.

We were in Mannar yesterday, and saw and heard details of the heavy destruction of property, brutal killings, and robberies of valuables, committed by the armed forces. The victims were Sri Lankan Tamils, Tamils of Indian origin and Muslims. It is in this background that we are discussing the Second Chamber proposals of His Excellency the President.

What the Tamil speaking people want urgently is security of life and property. This can be ensured only by the preservation of the unity and integrity of their homeland and by enabling them to exercise political power, including the powers over internal law and order, economic development, and land settlement in that area. The structural framework that will ensure these arrangements in contained in the proposals on autonomy submitted to the All Party Conference by the Ceylon Workers' Congress. Any solution which does not embody these principles will never be acceptable to the Tamil people.

We wish to make our observations on the memorandum presented to the All Party Conference by His Excellency the President in the light of these basic principles.

There are several assumptions on which this memorandum is based which are incorrect :

(a) The Regional Councils proposal is not that of the TULF's basic demand is that of a separate state. However, we have stated that we are willing to recommend a viable alternative to our people. As a result of complex and delicate process of negotiations between His Excellency the President and the special emissary of the Prime Minister of India, proposals emerged which envisaged a solution based on a scheme of regional autonomy involving the establishment of Regional Councils, The memorandum submitted by the Ceylon Worker's Congress endeavoured to further develop and spell out this proposal.

(b) We cannot accept the premise that the second chamber proposal is one which is intended to bridge the District

Councils proposal on the one hand, and the Regional Councils proposal on the other. We do not see how the second chamber proposal is in any way linked with the issues of devolution and of autonomy. On the contrary, the second chamber proposal would tend to consolidate and reinforce the processes of centralised authority and control, and in their present form could be viewed as another step which will facilitate the gravitation of power to the Executive President.

(c) We cannot accept the assumption in the memorandum that the District Councils should be the basic national unit on structural level, or the statement that the demand for Provincial or Regional basis of operation cannot be justified.

We believe that these are emotional and intransigent positions based on prejudice and obstinate denial of the legitimate grievances of the Tamil-speaking people. They cannot be justified on any conceptual or rational grounds and serve as a barrier to serious efforts to reach a negotiable settlement.

(d) Even with regard to the Inter-district Co-ordination, it is provided that such co-ordination would be subject to Central control. The proposals do not provide for an executive at the inter-district level, or legislative body to which such an executive should be accountable.

(e) The only aspect which perhaps calls for additional comment is the provision in the proposal which provides for the nomination of Provincial Ministers from the second chamber. Here again, proposals provide no clarification as to what the powers and functions of the Provincial Ministers would be, nor are the Provincial Ministers accountable to any legislative entity at the provincial level. They merely become answerable to the Executive President who appoints them. In this regard, we fear that the proposals for a second chamber may even seek

to dilute and weaken the scheme of devolution by ensuring that the provincial executive would be drawn from the second chamber thereby eroding this executive of any effective accountability to a devolved unit.

(f) We, therefore, wish to point out that we do not see any merit in the proposals for a second chamber in its present form. The Tamil speaking people and other minorities could only play a subordinate and secondary role in such an institution. The powers and functions of the second chamber have not been clarified and in any event appear to be of a secondary and subordinate nature. We do not accept that there is consensus in these proposals as far as the parties and organisations representing the Tamil people are concerned.

(g) We wish to reiterate that the only viable basis for a negotiated settlement is that based on the proposals in the C. W. C. memorandum, on the establishment of Regional Councils.

Ever since the All-Party Conference was summoned, we have made a sincere effort to meet more than once all the parties and organizations represented at the Conference, as well as those not in it, with a view to explaining our position. We are convinced that there are no legal impedient to giving effect to these proposals. What is required is the will to do justice to this long suffering people and to solve this vexed question without considerations of petty political advantage to be gained by individuals or parties.

As far as we are concerned, if a viable alternative which we are satisfied and which meets the aspirations of our people is offered, we shall certainly place it before our people. No reasonable person will find our attitude to be intransigent. If such an alternative is not evolved, we shall no option but to struggle by all non-violent means to liberate our people from this oppression.

STATEMENT MADE BY MR. R. SAMBANTHAN — LEADER FEDERAL PARTY DELEGATION AT THE ALL PARTY CONFERENCE ON 2ND SEPTEMBER 1984

This Conference resolved on 9th May 1984 "that consensus had been reached that for the effective fuuctioning of a plural society, a scheme of devolution of powers, to enable people's participation in government in all levels is needed".

There is however divergence of opinion on what the appropriate Unit of Devolution should be.

The precursor of the T.U.L.F., the Federal Party had for over two decades advocated a Federal Form of Government as the only solution to the problems of the MULTI-NATIONAL SOCIETY in Sri Lanka. The intransigent attitudes of successive governments — drove Tamils to persue a demand for separation — incontrovertibly endorsed by the Tamil people in 1977, the T.U.L.F. Candidates being convincingly returned in all fourteen electorates, in the Northern Province and in four of the five predominently Tamil Electorates in the Eastern Province, with the exception of the Kalkudha Electorate in which Mr. K. W. Devanayagam was returned by a majority of around 500 votes. The District Development Council Elections of 1981 resulted in the T.U.L.F. being returned, the winner, in all the Districts in the Northern Province — and in the Trincomalee and Batticaloa Districts in the Eastern Province. At the Local Government Elec-

tions in 1979, and 1983, the TULF, emerged victorious in all the Municipalities and Urban Councils in the Northern and Eastern Provinces. The Tamil people and indeed considerable sections of the other Tamil speaking people were solidly behind the T.U.L.F., they were for Self-Rule. The District Councils having proved abortive to the chagrin of the Tamil people and in the aftermath of the massacre and mayhem unleashed against innocent Tamil people in June, July and August 1983 (and even periodically thereafter — though confined to certain areas)—this Conference was summoned in January this year in search of an acceptable and reasonable political solutlon. The T.U.L.F. attended this conference on the basis and on the clear understanding that a political solution would be looked for — much beyond the existing D.D.C's. It would not be improper for me to state that if the T.U.L.F. was given cause for the slightest inclination that the political solution contemplated was to be within the ambit of District Councils, the T.U.L.F. may not have attended this Conference at all. I submit most earnestly that it would be unfair and indeed unjust for us to be asked to consider accepting the District Councils, an institution which had proved totally inadequate and ineffective even in the situation that prevailed prior to July 1983.

The C.W.C. in its Memorandum to this Conference in February 1984 has commended a scheme of Regional Autonomy for a Tamil Linguistic Region through Regional Councils, with Legislative ane Executive Power. It is regrettable that there has not been reflected a proper appreciation of the problems confronting the multi-national society in Sri Lanka. As was stated on the subject of Regional Autonomy, many years ago, the problem facing the country is one of reconciling the predominance of the majority nationality, with the liberty and aspirations of the minority nationality. It must be realised and accepted that a majority nationality cannot impose its rule upon a minority nationality in all fields for all time, and that a minority nationality cannot be kept suppressed for ever. It must be accepted that a Minority Nationality has a righit to determine its own affairs, without the imposition of majority rule. The Majority Notionality must realise that their legitimate rights would not in any way be

affected by a Scheme of Autonomy for a Minority Nationality, and that quiet apart from appeasing an aggreived Minority Nationality, such a solution would be in the best interests of the Majority Nationality itself and indeed the whole country. The grave implications of the most rapidly deteriorating situation in this country, have been given expression to at this conference, sometimes in the clearest of terms, and I do not wish to dwell on it, but I do consider it necessary to state, most emphatically, that the Scheme of Autonomy will have to necessarily and inevitably be one — which can soften increasingly hardening Tamil attitudes, and ensure near total acceptance by the Tamil Nationality. To suggest that such a Scheme of Autonomy would contribute to the furtherance of separatism would be an effort to defy the known facts of History. Sinhala Leaders, who are aware of the contributions made by Tamil Leaders towards the achievements of this country's independence in the fervent belief that all citizens of this country would be treated as equals — should know, that the Tamil people would not want to be engaged in a perpetual conflict, if they can live in security, with dignity, and with an awareness that there is no curb, no fetter, on their free ability to fulfil their legitimate aspirations. It must also be realised that the Tamil Minority Nationality is no longer in a mood to meekly accept whatever is dished out to them by the mercy of majority rule. The successive waves of racial violence against the Tamils, particularly the most horrible events of June, July and August 1983 and thereafter now extending even to their own areas, in various forms overt and covert — the aggression of not merely the Armed Services — but even of administrators, and policy makers, has brought into being an irreversible position — and any proposed solution has to be viewed in this context.

Autonomy to be meaningful and to ensure the desired results, must not only be related to Nationality — but must also be territorial. According to the 1981 census — 72.6% of the Total Sri Lankan Tamil population in this country live in the Northern and Eastern Provinces. As of now, after the events of July 1983 — when the Tamils were driven out from various parts of the country from almost every other part of the country — to areas which they consider their Homelands — the Northern and Eastern Provinces — it may be said that around 80% of the Sri Lankan Tamils live today in the Northern

and Eastern Provinces — Substantial numbers of the Indian Tamil Population affected by racial violence have themselves taken up residence in the Northern and Eastern Provinces in recent times. Their affinity to the Sri Lankan Tamils make them feel, that they would enjoy a greater measure of security in these parts. These are realities which one cannot escape from —

As I have stated earlier, various elections between 1977 and now, have conclusively proved that the Tamil people — and indeed considerable sections of the Tamil speaking people are solidly behind the TULF. If at all, it has been our willingness, to be moderate and accommodating, which has made us incurs for a time, I trust, the displeasure of certain sections of our people. I wish to emphatically record my disagreement with some of the views expressed by Hon. K. W. Devanayagam yesterday, in relation to the Tamils in the Eastern Province. I stand fully supported by the verdicts that the people have delivered at the various polls, I have referred to. Honourable delegates to this Conference cannot be unaware that at the Referendum held in December 1982 the majority of the voters in both the Northern and Eastern Provinces respectively, opposed the extension of the term of Parliament. In the kalkudha Electorate itself, in which as I have said before, Mr. Devanayagam was returned by around 500 votes in 1977 the people opposed the extension of the term of Parliament — in a sense, opposed the extension of the term of Parliament — in a sense, opposed his continuance as their Member of Parliament by a majority of over 5000 votes I say this which no disrespect to the Hon. K. W. Devanayagam with whom I have had a long and cordial relationship, from long prior to my entry into politics, but, I consider it my solemn duty to place these facts before the Conference. I look forward to maintaining an even more cordial relationship with him in the future. I wish to also state that considerable sections of the other Tamil speaking people — the Muslims living within this Region are not averse to autonomy being granted to a Tamil Linguistic Region with adequate safeguards for the Muslims. After all, it is we the Tamil Representatives in Parliament, who have stood up for them, and espoused their cause, whenever they were subjected to various acts of harassment, and oppression — which some of the spokesmen at this Conference have referred to in the most vivid

terms. The fears expressed on behalf of the Sinhalese people who live within such a Region, I most respectfully submit are unfounded. In terms of the 1981 Census just 2.5% of the entire Sinhala population in this country live within the proposed Tamil Linguistic Region. If around 20% of the Sri Lankan Tamils and a substantial percentage of the Indian Tamil population can be trusted to live in peace and harmony in predominantly Sinhala Regions throughout the rest of the country — there can be no justification, I submit, for the fears expressed on behalf of 2.5% of the Sinhala population who would live within a Tamil Linguistic Region. Likewise, I submit, with no offence to anyone, if 2/3rds—the Muslim population in this country can live in peace and harmony throughout the rest of the country — in predominantly Sinhalese Regions, there can be no justification for fear expressed on behalf of 1/3rd the Muslim population all of whom are Tamil speaking — who would live within a Tamil linguistic Region. Considerable sections of the Muslims who live within this Region, I respectfully submit, would not share the fears expressed at this conference. They have lived in amity with the Tamils, who are the largest ethnic group in each of the said provinces.

This Conference was summoned with a definite objective — to find a solution to the Tamil ethnic Problem — a problem which is becoming even more serious with the lapse of every passing day. There has to be an early cessation of the conflicts and hostilities that prevails amongst our people. Autonomy — on both a nationality and territorial basis — with devolution of power as contemplated in the Memorandum of the C.W.C. can be the only solution that could find acceptance amongst the Tamil People.

The Second Chamber Proposal as proposed, I respectfully submit does not blend with, and would not be conducive to the healthy functioning of such a Scheme of Regional Autonomy.

I thank you

STATEMENT MADE BY MR. AMIRTHALINGUM AT THE PLENARY SESSION OF THE ALL-PARTY CONFERENCE ON SUNDAY —30TH SEPTEMBER 1984

For 38 long years the Tamil problem has eluded a solution. Successive Sinhalese governments had recognised the problem and framed solutions, but they remained pious hopes and the relationship between the two nationalities deteriorated. The Tamil people and their leaders adopted every known political method to achieve their rights, but failed. The Tamil people, then took the ultimate step of asking for the restoration of the freedom they lost to the foreigner. In 1977 with unparallelled solidarity and unity of purpose, the Tamil people endorsed the demand of the TULF for a separate State. The strained relationship between the two nationalities resulted in repeated pogroms in 1977, 1979 and 1981, and reached new heights of brutality in the holocaust of June, July and August 1983.

Shortly after the visit of Mr. Narasimha Rao, the Foreign Minister of India, at the height of ethnic violence of July 1983, His Excellency the President sent Mr. H. W. Jayewardene as his special envoy to India. In the course of his discussions with Prime Minister Indira Gandhi, Mr. Jayewardene indicated to her that the President intended to take steps to fully implement the laws relating to District Development Councils, and certain other actions he intended taking in respect of the use of Tamil, the discontinuance of the active part played by the army in Jaffna, and the question of amnesty and release of people in custody. When Mrs. Gandhi told him that perhaps this did not go far enough to meet the aspirations of the Tamil community he told her, "that the President will be prepared to have further discussions of any new proposals provided of course that the unity of Sri Lanka would not in any way be affected". It was then that

Mrs. Gandhi offered her good offices to enable a final decision to be reached.

The Tamil United Liberation Front (TULF) at its Mannar Convention on the 23rd of July decided not to have any further talks with the Government of Sri Lanka as it had failed to implement any of the matters agreed upon in the course of the negotiations at the Inter Party Conference from August, 1981, to September, 1982. But, When the good offices of the Prime Minister of India to work out a final solution to this problem were accepted by the President, and as the President had agreed to discuss any new proposals, provided that the unity of Sri Lanka was not affected, the Tamil United Liberation Front (TULF) also accepted India's good offices. This was the back-ground to the arrival of Mr. G. Parthasarathi, the special envoy of the Prime Minister of India on the 25th of August, 1983.

Mr. Parthasarathi met the President on three occasions, and had long discussions with the members of the TULF. It is well-known that the TULF contested the 1977 Parliamentary Elections seeking a mandate for the establishment of a separate state. At the time we accepted India's good offices we indicated that if a viable alternative to our mandate for a sovereign secular Socialist State of Tamil Eelam was offered. we were prepared to place it before our party and take a decision in keeping with the wishes of our people.

In the search for a viable alternative the transformation of Sri Lanka into a Union of States in which the Northern and Eastern Provinces shall constitute one state was suggested. On Mr. Parthasarathi's second visit to the Island early in November 1983, he had "five long meetings with His Excellency the President", and new suggestions emerged to provide for greater devolution of powers to the region. They involved. "the conversion of the present District Development Council scheme into a Regional Council scheme". The members of the TULF had no hand in the formulation of this scheme and it was agreed between the President and Mr. Parthasarathi that "these points will be discussed with the leaders of the TULF and their respons will be communicated by Mr. Parthasarathi when His Excellency comes to Delhi". Accordingly Mr. Parthasarathi had several rounds of talks in New Delhi not only with the leaders of the TULF, but also with Mr. Thondaman. After discussions which went on for a number of days, Mr. Parthasarathi conveyed to the President on his arrival in New Delhi the problems which the Tamil leaders had with a few of the tentative proposals. Some of the differences were ironed out and the resultant proposals are those embodied in annexure "C". The main point over which there was no agreement was the merger of the Northern and Eastern Provinces into one region which the TULF insisted was of fundamental importance. We refused to participate in the All Party Conference unless this position was accepted by the Government, but we were persuaded to attend the All-Party Conference and raise the question of the merger of the North and East at the Conference. This is the significant role played by Indian good offices in bringing the TULF to the negotiating table contrary to the decision taken at the Party Convention in July 1983.

When annexure "C" was unceremoniously and ignominously jettisoned, and the All-Party Conference ceased to be a Conference of all recognised political parties, with a number of parties walking out and some parties walking out and some parties being left out, and became a Round Table Conference to which various groups were brought in, as and when it suited the Government, there was every justification for as to refuse to continue participating in this changed situation. But we continued our search for a peaceful solution through the All-Party Conference. When the deliberations of the All-Party Conference were meandering through various divious paths, the Government pursued a policy of : (1) trying to impose a military solution on the Tamil people by strong repressive action in the North and East; and (2) damaging the long term interest of the Tamil people by altering the demographic pattern of the traditional Tamil areas at the point of the gun. Though it may not be possible to give the details of the Government action on these two matters, I will be failing in my duty by the people we represent if I do not place on record some of the blatant actions of the Government against the Tamil people during the nine months this Conference had been sitting :

1.1 The induction of the Israeli element-whether it is Mossad or Shimbeth, makes little difference- and the mercenary S.A.S.-whether it is present or ex-and thereby internationalising the repression, while insisting it is an internal matter and nobody should intrude with their good offices ;

1.2 The encouragement of indiscipline among the armed forces and the police, including the commando units in the North and East by covering up and failing to take adequate action against them for unlawful actions committed against innocent Tamil people, such as killing, and injuring them and burning, destroying, stealing and plundering their property. The I.R.A. in the United Kingdom has been carrying out more violent operations, than the Tamil militants in the North and East. But innocent Irishmen were not massacred by the armed forces as happened at the Chunnakam market on the 28th of March, at Jaffna on the 9th, 10th and 11th of April, at Vavuniya on the 7th and 8th of August, in Jaffna City from the 5th to 15th of August, at Kaithady on 13th August, at Mannar and Manthai on 12th and 13th August, at Pt Pedro on the 1st September, in the bus at Poovarasankulam on 10th September, and at Mallavi on 5th September.

I have not exhausted the list of massacres of innocent Tamil people by the armed forces during this period. Practically, every Tamil township has gone through the Baptism of fire. In Chunnakam, Jaffna, Atchuvely, Vasavilan, Valvettiturai, Vavuniya, Pt. Pedro, Mannar, Adampan, Murungan, Mankulam and Nedunkerny several hundred shops and houses have been burnt and totally destroyed by the guardians of the law. If Sinhalese people or members of the police or armed forces are killed by the militants, their families are compensated. We don't grudge them that. But when innocent Tamils are killed unlawfully by the police or the armed forces, their dependants are not given any relief whatsoever.

I am glad that at least in Mannar where the majority of shops burnt by the army belonged to Muslims the Government has agreed to pay compensation. But in all the other towns I mentioned where houses and shops belonging to the Tamils were burnt by the armed forces, no compensation is paid. This is justice in Sri Lanka.

1.3 The coastal areas in the North are fired at from the sea. A number of trees, houses, animals and human beings have been hit. Last week a pregnant woman, named Kalawathi, sleeping in her house two miles from the sea coast, was killed, and her husband injured by one of the shells or large bullets fired from the ships of the Sri Lanka Navy. The Government keeps on quibbling that there are no canons on their ships. There may be no canons, but there must be some guns on these ships projectiles fired from which are causing death and destruction to innocent people in the Northern coastal areas, but the Government is continuing the firing of hundreds of shots from the Naval ships practically every night for the last two months.

1.4 Fishermen in the North are starving. The Minister for National Security had a Conference and told them that they could fish within seven miles from the coast. I know of cases in Mathagal, Myliddy, and Marisamkoodal, where fishermen have been killed, boats made to disappear, engines thrown into the sea and poor fishermen mercilessly beated up within one mile from the coast. The fishermen are frightened to go out to fish and their families are reduced to destitution. I am reliably informed that there is a new order banning the Northern fishermen from going out to sea between the hours of 6 p.m. and 6 a.m. which in effect means no fishing at all in the Northern waters.

1.5 Funds for development are transferred to defence expenditure in the North. There was hardly any allocation for development, except the decentralised budget allocation

of 2½ million rupees for each electorate. Orders have gone not to fill up even the pot holes on roads and use that money for killing innocent Tamils.

1.6 The indiscriminate arrest, transport under humiliating conditions to distant places, like Galle, continued detention and inhuman torture of hundreds of innocent youths continues unabated inspite of protests by us, the mothers of the youths, and human rights organisations.

I must also refer to the deliberate policy of driving out Tamils and settling Sinhalese that is being pursued in Vavuniya, Mullaitivu and Trincomalee.

2.1 Lands were given out on special lease to big firms during the Notional Government in 1965. The Dollar farm and Kent farm were two of these. About 300 Indian Tamil families who had fled to Vavuniya as refugees after the pogrom against Tamils in 1977 were settled in these farms by charitable organisations, like the TRRO and SEDEC. They have now been driven out by the army and the police, and Sinhalese prisoners from Anuradhapura are being settled on the lands developed by these refugees. The criminal actions of these prisoners have become a sources of danger to the neighbouring Tamil villages also.

2.2 Special roads and bridges have been constructed by the army from Padaviya across Periya Aru to the villages of Kokuthoduvai, Thanduwan, and Unchalady, and also to the Dollar farm and thousands of Sinhalese families are being moved into this area. The villagers in the area are being driven out at the point of the gun. This operation is being carried out under the supervision of the civilian co-ordinator for Vavuniya, Mannar and Mullaitivu. While we are talking here of the iniquity of the policy of colonisation in the past, the Government is carrying out a policy of driving out Tamils and settling Sinhalese on the traditional Tamil lands in the Northern Province. Is this proof of the bona-fides of the Government to do justice to the Tamils? This can only be compared to the action of the Israelis in occupied Palestine.

2.3 In Kappatthurai in Trincomalee, Indian-Tamil families have been driven out from lands given to them on permits by the Government Agent and Sinhalese are being settled there. There is a move to convert the Tamil school there into a Sinhalese school.

2.4 We have information that army men are intimidating Tamil Grama Sevakas in Trincomalee to register migrant Sinhalese fishermen as voters and delete Tamil names from the voters lists. It is claimed that by the time the Trincomalee bye-election is held, the Sinhalese voters will become the majority. If, while we are talking peace at the Conference attempts are being made to alter the demographic pattern to our disadvantage and doctor the voters' lists, does the Government expect us to continue to keep quiet, while the ground is being cut under our feet ?

This is the setting to this Plenary Session of the Conference. At the Sessions of 2nd September 1984, Your Excellency told the Conference that Government's proposals will be placed by you before the Conference on 21st September, and Your Excellency responded to a query by Dr. Colvin R. de Silva, and stated that they will be definite proposals of the Government. The much awaited proposals are now out in the paper submitted by Your Excellency. But, to our utter disappointment, many important matters are still left to be marked out or discussed or settled. Has not this question been examined from every conceivable angle ? There is little new that can be said.

We have indicated our view that we regarded the scheme of Regional Councils contained in the proposals submitted by the Ceylon Workers' Congress (CWC) as a reasonable basis for a settlement of this problem. From our mandate for an independent State, we agreed to a Union of States within the framework of a united Sri Lanka. The President suggested Regional Councils. Though it may not fully satisfy the aspirations of the Tamil people,

we were willing to recommend it to our people subject to the unit being the Tamil linguistic region consisting of the Northern and Eastern Provinces, with devolved legislative and executive powers over specified listed subjects, including the maintenance of internal law and order in the Region, the administration of justice, social and economic development, cultural matters and land policy.

The present proposals are based on District Development Councils as the unit and only permit Inter-District Co-ordination and collaboration in defined spheres of activity. There is no provision to devolve any legislative or executive power to this co-ordinating unit. There is no indication that this unit will be a legal person. The members of this unit are not to be directly elected by the people. The attempt to link devolution to the second chamber is only calculated to defeat the objective of devolution.

In the report of Committee "A" internal law and order and justice are exclusively reserved by the Government. The proposals contained in His Excellency the President's report is a total reversal of what was agreed upon in the Delhi proposals on all the matters mentioned above. There is no indication that our proposal for a Tamil linguistic region as the basic unit of devolution is being considered at all. The Government is refusing to compromise on the stand it took at the beginning of the Conference that the unit should be District Council, and no more. For all these reasons the TULF rejects these proposals as being totally unacceptable to the Tamil people.

While we have indicated a willingness to consider reasonable alternatives in order to achieve a negotiated settlement, the intransigent stand of the Government on District Councils as the Unit and the actions of the Government in trying to impose a military solution and alter the demographic pattern of our area to our permanent disadvantage, make us feel that the proceedings of this Conference are an exercise in futility.

The TULF has no option but to carry on its struggle for the liberation of the Tamil people, for the preservation of the integrity of their traditional homelands, and for justice and human rights by all non-violent means.

STATEMENT ISSUED BY MR. A. AMIRTHALINGUM, SECRETARY-GENERAL, T.U.L.F. AFTER THE ALL PARTY CONFERENCE ON 21ST DECEMBER, 1984

In response to an invitation from President Jayawardene dated 28th December 1983, the T.U.L.F. agreed to attend the All Party Conference summoned for the 10th of January 1984, on the basis of certain proposals "to enable them to arrive at an acceptable solution to the present problems facing the Tamil community in Sri Lanka." When those proposals were abandoned, the T.U.L.F. would normally have withdrawn from the Conference. But, we continued to participate and pursue the search for an acceptable viable alternative to our demand for an independent State of Tamil Eelam. Mrs. Indira Gandhi, the late Prime Minister of India, who "offered her good offices to enable a final solution to be reached" and her Special Envoy Mr. G. Parthasarathy played a very big part in persuading the T.U.L.F. to continue the negotiatory process. In view of certain aspersions cast by some people on India's role in this matter, it behoves me to place this fact on record. India has been the biggest factor working for a peaceful political solution.

In the very first statement we made at the Conference, we indicated that though we were elected on a Mandate to work for a separate State, if an acceptable and viable alternative is offered, we were willing to recommend it to our people. Even in the face of a total absence of positive response on the part of leading Government Members — even when the major Sinhala Opposition party avoided the responsibility by walking out — we

continued to participate because of our Party's commitment to non-violence an integral part of which is the path of negotiation. We indicated that a solution based on a Tamil Linquistic region, consisting of the Northern and Eastern Provinces, granting regional autonomy to the Tamil nation as contained in the proposals placed before this Conference by the Ceylon Workers' Congress may be one we could recommend to the Tamil people. We also said that the regional body should be, "empowered to enact laws and exercise executive powers in relation thereto on certain specified listed subjects, including the maintenance of internal law and order in the Region, the administration of justice, social and economic development, cultural matters and land policy".

A careful study of the provisions of the draft bills placed before the Conference will convince anyone that they fall far short of the regional autonomy indicated above. When we accepted the scheme of District Development Councils in 1980, it was clearly understood that it was not meant to be an alternative to our demand for a separate State. It was hoped that it may help to solve some of the pressing problems, like colonization, and ease tensions thereby creating the climate for a solution to the larger political question. The total failure of the Government to work that scheme in the proper spirit has largely contributed to the present situation. The repetition of the provisions of the same law in the present draft is totally unacceptable to the Tamil people. The bills do not embody a proper scheme of devolution or autonomy. Devolution to the larger unit should be done by the Constitution and that unit may delegate any functions to the smallest unit. I am surprised that even these meagre and inadequate provisions are being opposed by some responsible persons.

We have endeavoured both in the All Party Conference and in informal discussions outside to work out a peaceful solution. Time is running out. The Tamil areas are under virtual seige. Normal life has come to a stand-still. Death, arson, rape and looting, stalk our areas. Starvation is staring the poor people in the face. This is the grim reality of the situation in the Northern and Eastern Provinces. We are constrained to state that the two Bills before this Conference do not embody any scheme of autonomy which could be accepted by the Tamil people, or their accredited representatives the Tamil United Liberation Front.

CALL FOR UNITY - TULF

The time had come for the various Sri Lanka Tamil groups and political movements to forge an understanding and jointly launch a campaign of "non-violent direct-action" to stop the "aggression" by the Sinhala forces in the Tamil areas, the TULF leader, Mr. A. Amirthalingum, said here today.

Talking to newsmen, he said his party would make all out efforts to achieve this unity in the next few days and he would try to meet the leaders of the different groups.

Govt blamed for APC failure : The TULF Secretary-General, who arrived here on Tuesday night, blamed the Sri Lanka Government for the failure of the all party conference; APC to work out an acceptable formula to satisfy the legitimate aspirations of the Tamil population, because of its "intransigent" attitude in sticking to the district development council as a basic unit for devolution of power. This was against the understanding reached with the Indian Government which offered its good offices and at whose instance alone the TULF had agreed to attend the conference, Mr. Amirthalingum said.

The draft legislation to be presented on november 15 would only embody the inter-district co-ordination unit cum the second chamber proposals, contained in the President, Mr. Jayewardene's statement, which had been "totally rejected by his party." As far as the TULF was concerned, the APC which was regarded as an "exercise in futility" even from the begining, was all over. "The ball is now in Sri Lanka Government's court; unless there is a major change of heart on the part of the Government the APC will not yield any favourable results," Mr. Amirthalingum said.

THE HINDU-05-10-84